

APPLICATION AS NOTIFIED

B DAVIES

(RM260542)

File Number RM260542

QUEENSTOWN LAKES DISTRICT COUNCIL

SERVICE OF NOTICE / LIMITED NOTIFICATION

Service of Notice for Limited Notification of a Resource Consent application under Section 95B of the Resource Management Act 1991.

The Queenstown Lakes District Council has received an application for a resource consent from:

Blair Robert Davies

What is proposed:

To lawfully establish an existing swing mooring (M53) on the southern shoreline of the Frankton Arm, Lake Whakatipu (Whakātipu-Wai-Māori), requiring land use consents from the Otago Regional Council and the Queenstown Lakes District Council.

The location in respect of which this application relates is situated at:

On the southern side of the Frankton Arm, Kelvin Grove, Queenstown within Whakātipu-Wai-Māori at the following GPS coordinates:

-45.044769 S, 168.685288 E (WGS84 Decimal Degree Format)

A full copy of this Limited Notified package is available for you to download on the following link:

<https://www.qldc.govt.nz/services/resource-consents/notified-resource-consents#limited-not-rc> or via our edocs website using **RM260542** as the reference <https://edocs.qldc.govt.nz/Account/Login>

This file can also be viewed at our public computers at these Council offices:

- **Gorge Road, Queenstown;**
- **and 47 Ardmore Street, Wanaka during normal office hours (8.30am to 5.00pm).**

The Council planner processing this application on behalf of the Council is Rebecca Holden, who may be contacted by phone at 021 170 1496 or e-mail at rebecca.holden@qldc.govt.nz

Any person who is notified of this application, but a person who is a trade competitor of the applicant may do so only if that person is directly affected by an effect of the activity to which the application relates that –

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

If you wish to make a submission on this application, you may do so by sending a written submission to the consent authority no later than:

1 September 2026

The submission must be dated, signed by you and must include the following information:

- a) Your name and postal address and phone number/fax number.
- b) Details of the application in respect of which you are making the submission including location.
- c) Whether you support or oppose the application.
- d) Your submission, with reasons.
- e) The decision you wish the consent authority to make.
- f) Whether you wish to be heard in support of your submission.

You may make a submission by sending a written or electronic submission to Council (details below). The submission should be in the format of Form 13. Copies of this form are available Council website:

<https://www.qldc.govt.nz/services/resource-consents/notified-consents/current-notified-resource-consents/>

You must serve a copy of your submission to the applicant (B Davies, blair.davies@xtra.co.nz) as soon as reasonably practicable after serving your submission to Council:

C/- Burnetta Van Stipriaan
burnetta@slwp.co.nz
Southern Water and Land Planning

QUEENSTOWN LAKES DISTRICT COUNCIL



(signed by Jane Sinclair pursuant to a delegation given under
Section 34A of the Resource Management Act 1991)

Date of Notification: 4 August 2026

Address for Service for Consent Authority:

Queenstown Lakes District Council
Private Bag 50072, Queenstown 9348
Gorge Road, Queenstown 9300

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**NOTIFICATION ASSESSMENT UNDER s95A AND s95B OF THE RESOURCE
MANAGEMENT ACT 1991 (RMA)**

**NOTIFICATION DECISION UNDER s95A AND s95B RMA OF BOTH THE QUEENSTOWN
LAKES DISTRICT COUNCIL and**

THE OTAGO REGIONAL COUNCIL

Applicant:	B. R. Davies
RM reference:	RM260542
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consents from the Otago Regional Council (ORC) and the Queenstown Lakes District Council (QLDC) to lawfully establish an existing swing mooring (M53) on the southern shoreline of the Frankton Arm, Lake Whakatipu (Whakātipu-Wai-Māori).
Location:	Bed and surface of Whakātipu-Wai-Māori, Kelvin Grove.
Legal Description:	N/A
QLDC Zoning:	ODP: Rural General PDP: Rural (Water)
QLDC District Plan Notations:	Wāhi Tūpuna Site 33 (Whakātipu-Wai-Māori (Lake Whakātipu))
ORC ORP:W Notations:	MA3 (Waahi tapu and/or Waiwhakaheke)
Activity Status:	Discretionary
Decision Date	3 August 2026

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95E of the RMA, the application seeking consent for a mooring within the Frankton Arm, will be processed under the Queenstown Lakes District Plan on a limited notified basis given the findings of Sections 4.1 and 4.3 of this report. Notice of the application will be served on those parties identified in Section 4.3.3 of this report in accordance with section 2AA of the RMA.
2. Pursuant to sections 95A-95E of the RMA, the application seeking consent under the Otago Regional Plan: Water to place a structure, fixed in, on, under or over the bed of a lake, will be processed by the QLDC in accordance with the deed dated 23 March 1994 on a limited notified basis, given the findings of Sections 4.1 and 4.3 of this report. Notice of the application will be served on those parties identified in Section 4.3.3 of this report in accordance with section 2AA of the RMA.
3. This decision is made by Jane Sinclair, Independent Commissioner as delegate for the Council pursuant to Section 34A of the RMA.

1. SUMMARY OF PROPOSAL AND SITE DESCRIPTION

1.1 Background

Many of the moorings and jetties in the District's lakes have been in place for quite some time. Any mooring or jetty established prior to 1991 likely required a licence under the Harbours Act 1950. Where a Harbours Act licence was obtained, the mooring or jetty was able to continue to rely upon the Harbours Act licence under section 418(3A) of the Resource Management Act 1991 (RMA) until the expiry of the licence. As Harbours Act licences had 14-year-terms, all licences would have expired by 2005 (14 years following the repeal of the Harbours Act), after which authorisation under the RMA is required for a mooring or jetty to be lawful under this legislation.

In 2021, the QLDC undertook a survey of the District's lakes and become aware that a number of moorings and jetties may not be lawfully established under the RMA (because of the transition from the Harbours Act to the RMA). Communication was sent to all mooring and jetty owners, advising them about their responsibilities and requirements under the RMA.

As a result, QLDC have received a number of applications to lawfully establish under the RMA existing moorings and jetties within the District's lakes. These structures need consents under both the QLDC District Plan and the Otago Regional Council's Regional Plan: Water for Otago (ORP:W).

Of relevance to the processing of this application under the OPR:W, on 23 March 1994, a deed was made to transfer the power to determine applications for land use consent for activities / structures affecting lakes from the ORC to the QLDC pursuant to Section 13(1)(a) of the RMA. In accordance with this deed, in an email dated 20.5.26, the ORC confirmed that QLDC could process this application seeking consent under the ORP:W on its behalf.

1.2 Summary of Proposal

The Applicant has provided a background to the mooring, a description of the site and receiving environment, and a description of the proposed activity at Sections 2.1-2.3 within the report entitled "*BLAIR DAVIES, EXISTING SWING MOORING, LAKE WAKATIPU | WHAKĀTIPU-WAI-MĀORI*", dated May 2026, prepared by Southern Land & Water Planning, and submitted as part of the application (hereon referred to as the Applicant's AEE and attached as *Appendix 1*). This description is considered adequate and is adopted in part for the purpose of this report with the following summary/additions:

Consent is sought to lawfully establish under the RMA an existing swing mooring for a single vessel within Whakātipu-Wai-Māori, on the southern side of the Frankton Arm within Kelvin Grove. The proposal relates to existing mooring permit¹ 53 ("M53") which Council records show is currently located at the following GPS coordinates (as indicated in Figure 1 below):

-45.044769 S, 168.685288 E (WGS84 Decimal Degree Format)

¹ Issued under the QLDC Mooring Permit system which is administered by Councils Property team and is not an authorisation under the RMA.



Figure 1: Location of existing swing mooring M53 (verified coordinates represented by a large orange dot), in relation to surrounding moorings and features.

Of note, GPS coordinates that have been used within the application documents use the Degrees, Minutes, Seconds format (i.e. AEE and mooring inspection report). In accordance with the standard QLDC mooring inspection form, all coordinates have been converted to the WGS84 Decimal Degree Format for the purposes of this report. Whatever format is used, the existing location of M53 is as shown in Figure 1 above.

Section 2.1 of the AEE outlines the consent background (planning history), providing aerial photos that show moorings located in this area dating back to at least 1984. Although it is unknown when M53 was first established, the mooring owner has demonstrated that they hold a QLDC mooring permit for the mooring.

Since submitting the application, the Applicant has amended the proposal and now seeks consent to use M53 for a vessel up to 6.5m in overall length².

2. ACTIVITY STATUS

The 2007 QLDC Operative District Plan is being reviewed through a series of plan changes commenced in August 2015 known as the Proposed District Plan (PDP). As set out in Chapter 1 of the PDP, the district plan can now be summarised as comprising:

- A. Provisions reviewed since 2015 referred to as the PDP that apply in areas mapped in the PDP ePlan maps; and
- B. Provisions reviewed since 2007 referred to as the Operative District Plan (ODP) that apply in areas mapped in the ODP ePlan maps, which appear as white in the PDP ePlan maps.

² As confirmed in the email dated 10.6.26 which is publicly viewable on QLDC's eDocs system searching under the reference "RM260542": <https://edocs.qldc.govt.nz/>

Strategic Chapters 3-6 of the PDP as well as Designations, Heritage and Wāhi Tūpuna apply to all areas. Where decisions on the PDP have been appealed, the corresponding ODP rules continue to apply. As appeals are resolved, more PDP rules are treated as operative and the equivalent ODP rules are treated as inoperative (s.86F RMA). Currently, resource consent may be required under either, or both the ODP and PDP provisions listed below.

2.1 OPERATIVE DISTRICT PLAN

The subject site is zoned Rural General in the ODP. However, there are no longer any relevant rules under the ODP, given the relevant rules under the PDP are treated as operative pursuant to section 86F.

2.2 PROPOSED DISTRICT PLAN

The subject site is zoned Rural (water) by the PDP. The proposed mooring is located within Wāhi Tūpuna Site 33 (Whakātipu-Wai-Māori (Lake Whakātipu)). Whakātipu-Wai-Māori is also a Statutory Acknowledgement Area under the Ngāi Tahu Claims Settlement Act 1998, as recognised within the PDP. While these provisions do not contain rules that might trigger the need for a resource consent, they are particularly relevant for the assessment of this application and for providing guidance on actual and potential effects.

The proposed activity requires resource consent under the PDP for the following reason³:

- A **restricted discretionary** activity pursuant to Rule 21.15.7 in regard to moorings in the Frankton Arm. The proposed mooring is identified within the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application. Council's discretion is restricted to the following matters:
 - a. whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;
 - b. whether the structure causes an impediment to craft manoeuvring and using shore waters.
 - c. the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;
 - d. the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;
 - e. whether the structure will be used by a number and range of people and craft, including the general public;
 - f. the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design;
 - g. whether the structure enables the use of public water ferry services and/or water based transport.

Overall, the application is considered to be a **restricted discretionary** activity under the PDP.

2.3 THE OTAGO REGIONAL COUNCIL PLAN: WATER

Whakātipu-Wai-Māori is a Statutory Acknowledgement Area under the Ngāi Tahu Claims Settlement Act 1998, which is recognised within the ORP:W and is a relevant consideration for the assessment of this application under the ORP:W, and for providing guidance on actual and potential effects.

In accordance with the deed signed between the ORC and QLDC and the confirmation from ORC delegating its decision making (as outlined in Section 1.1 above), the application has been considered by QLDC under the relevant provisions of the ORP:W.

The proposed activity requires resource consent under the ORP:W for the following reason:

³ Cited rule(s) can be treated as operative under s86F.

- A **discretionary** activity pursuant to Rule 13.2.3.1 as the proposal involves the placement of a structure, fixed in, on, under or over the bed of a lake. It is proposed to place a mooring that passes through the surface of Whakātipu-Wai-Māori and is attached (anchored) to the bed of the lake.

Overall, the application is considered to be a **discretionary** activity under the ORP:W.

2.4 ACTIVITY STATUS SUMMARY

The application is considered to be:

- a **restricted discretionary** activity under the PDP; and
- a **discretionary** activity under the ORP:W.

Overall, the application will be considered as a **discretionary** activity.

NOTIFICATION ASSESSMENT AND DETERMINATION DECISION UNDER SECTIONS 95A AND 95B OF THE RESOURCE MANAGEMENT ACT

The below covers both the QLDC and ORC resource consent applications.

3. SECTION 95A – PUBLIC NOTIFICATION

Section 95A of the RMA requires a decision on whether or not to publicly notify an application. The following steps set out in this section, in the order given, are used to determine whether to publicly notify an application for a resource consent.

3.1 Step 1 – Mandatory public notification

The Applicant has not requested public notification of the application (s95A(3)(a)).

Public notification is not required as a result of a refusal by the Applicant to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the RMA (s95A(3)(b)).

The application does not involve an exchange of recreation reserve land under section 15AA of the Reserves Act 1977 (s95A(3)(c)).

Therefore, public notification is not required by Step 1.

3.2 Step 2 – Public notification precluded

Public notification is not precluded by any rule or national environmental standard (s95A(5)(a)).

The proposal is not:

- a controlled activity; or
- a boundary activity as defined by section 87AAB that is restricted discretionary, discretionary or non-complying;

Therefore, public notification is not precluded under Step 2.

3.3 Step 3 – If not precluded by Step 2, public notification is required in certain circumstances

Public notification is not specifically required under a rule or national environmental standard (s95A(8)(a)).

A consent authority must publicly notify an application if notification is not precluded by Step 2 and the consent authority decides, in accordance with s95D, that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

An assessment in this respect is therefore undertaken, and decision made in sections 3.3.1 - 3.3.4 below:

3.3.1 Effects that must / may be disregarded (s95D(a)-(e))

Effects that must be disregarded:

- *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*
- *Trade competition and the effects of trade competition (s95D(d)).*
- *Effects on a person who has given written approval to the relevant application. The following persons have provided their **written approval** and as such adverse effects on these parties have been disregarded (s95D(e)).*

Person (owner/occupier)	Address (location in respect of subject site)
Land Information New Zealand (LINZ)	N/A

The QLDC processing planner has consulted with Maritime New Zealand as per requirements of s.89A. In an email dated 3 June 2026, Maritime NZ confirmed they had no comment on the application.

Effects that may be disregarded:

- *An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b)) – referred to as the “permitted baseline”. The relevance of a permitted baseline to this application is provided in section 3.3.2 below.*

3.3.2 Permitted Activities (s95D(b))

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case, as accepted in section 3.2.3 of the Applicant's AEE, all permanent structures and moorings within a lake require resource consent under the PDP, and the ORP:W. As such, there is no permitted baseline relevant to the placement of a structure on the lake bed.

As for the effects of lake-bed disturbance associated with the removal and placement of a mooring under ORP:W Rule 13.5.1.1, it is a permitted activity to disturb the bed of a lake associated with the erection, placement, extension, alteration, replacement, reconstruction, repair, maintenance, demolition or removal of any structure that is fixed in, on, under or over the bed of any lake, provided standards are met. These include the following:

- the work is undertaken between 1 May and 30 September inclusive and Department of Conservation and Fish and Game are notified in advance;
- the lake bed disturbance is limited to the extent necessary to undertake the work;
- the work does not cause any flooding or erosion;
- the time taken to complete the works in the wetted bed of the lake does not exceed ten (10) hours in duration;
- reasonable steps are taken to minimise sediment release such that water clarity does not change within 200m downstream; and
- the site is left tidy.

In terms of the ongoing use of a structure, it is noted that through this consent, the proposed mooring will become lawfully established under the RMA, and therefore its ongoing use will be able to rely on permitted activity Rule 13.1.1.1 of the ORP:W, provided it is maintained in good repair. This is a relevant consideration in the assessment that follows. Similarly, if this consent is approved, the mooring will become authorised under the PDP and its ongoing use will essentially be “permitted” as a result.

The repair, maintenance, extension, alteration, replacement or reconstruction of a structure is also permitted by the ORP:W provided the structure is replaced or reconstructed in the same location as the original structure; and there is no permanent change to the scale, nature or functions of the structure.

It is considered that the permitted baseline as it relates to the disturbance of the lakebed associated with the installation of the mooring, and the ongoing use of this structure once lawfully established to be of some relevance to the proposal because it is assumed that the Applicant will comply with the permitted standards under the ORP:W given they have not sought consent to the contrary, and have confirmed within Section 3.2.3 of the AEE that the proposal complies with Rule 13.5.1.1 of the ORP:W⁴. As such this will be taken into consideration in the assessment that follows.

⁴ Any historic or future non-compliance of the permitted standards under the ORP:W is an Otago Regional Council monitoring and enforcement matter.

3.3.3 Assessment: Effects On The Environment

Taking into account sections 3.3.1 and 3.3.2 above, the following assessment determines whether the proposed activity will have, or is likely to have, adverse effects on the environment that are more than minor that will require public notification (s95A(8)(b)).

The Applicant seeks resource consent under both the ORP:W and the PDP to lawfully establish a swing mooring within the Frankton Arm of Whakātipu-Wai-Māori. An assessment relevant to each Council plan follows.

Expert reports

The following expert reports have been provided to assist the assessment of effects below:

- A navigational safety report prepared by QLDC's Harbourmaster, Mr Ricky Campbell, attached as *Appendix 2*.

A] Assessment under the QLDC Proposed District Plan

A restricted discretionary consenting pathway is provided for moorings and jetties located within the Frankton Arm of Whakātipu-Wai-Māori, where Council's discretion is restricted to the matters in Rule 21.15.7, which for completeness are repeated as follows:

- a. *whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;*
- b. *whether the structure causes an impediment to craft manoeuvring and using shore waters.*
- c. *the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;*
- d. *the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;*
- e. *whether the structure will be used by a number and range of people and craft, including the general public;*
- f. *the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design;*
- g. *whether the structure enables the use of public water ferry services and/or water based transport.*

Relevant to the above, the Applicant has provided an assessment of effects at Sections 4.1.1, 4.1.3 and 4.1.4 of the AEE (noting the other parts of the assessment contained within Section 4 of the AEE (being sections 4.1.2, 4.1.5 and 4.1.6) are not relevant to an assessment of the proposal under the PDP). These sections will be considered as part of the assessment of the ORP:W further below.

The assessment contained in section 4.1.1, 4.1.3 and 4.1.4 of the AEE is considered to adequately address the above matters and is therefore adopted for the purposes of this report. An additional assessment to supplement the assessment within the AEE follows in relation to navigational and water safety matters:

i. Navigation and water safety

As outlined in the QLDC Swing Mooring Booklet 2026 and within the mooring permit, the safety and maintenance of a mooring is the responsibility of the registered mooring owner. The whole system must be inspected every two years to remove kinks and replace worn components. Inspection must be conducted by a suitably qualified professional. This requirement is consistent with the ORC permitted activity standards outlined in Section 3.3.2 above.

The Applicant has submitted a mooring inspection which was carried out on 23 January 2026 by Mr Garry Wright, who is accepted as being a suitably qualified professional to undertake this work. Based on the mooring specifications detailed within the inspection report, a maximum swing radius for M53 was able to be calculated. Swing radius is a circle on the water in which a vessel will rotate around its mooring

block or anchor and takes into consideration the length of the berthed vessel, the depth of the mooring block, and the total length of “tackle”. The maximum swing radius is calculated at low water level, which is when the mooring “tackle” will be fully extended in high winds (or a high tidal flow), representing the maximum distance the vessel is from the mooring block.

Based on a total swing radius of 18 metres (including 9m vessel), the QLDC Harbourmaster initially identified that there was a swing radius conflict with adjacent moorings M54 (resource consent application is currently being processed⁵) and M381 (unconsented), the location of which are shown in Figure 1 above. Before the QLDC Harbourmaster could support the application, he advised that these swing radius conflicts would need to be addressed (and removed).

To address the Harbourmaster’s concerns, the Applicant volunteered to shorten the length of tackle associated with M53 by 2m and restrict its use to a vessel no greater than 6.5m in overall length. This will remedy the identified swing radius conflict with M381. In relation to M54, the permit holder for M54 has agreed to move their mooring to into deeper water, removing the swing radius overlap with M53. On this basis, the QLDC Harbourmaster has confirmed that any navigational safety concerns initially identified have been addressed. The mooring will be marked with a buoy to make it clearly visible, and its location will not impede any craft manoeuvring in this area.

Overall, it is considered that lawfully establishing M53 in its existing location will result in no more than minor adverse effects on navigational safety on Whakātipu-Wai-Māori.

ii. Summary of effects under the PDP

Overall, given the assessment above and that within the AEE, it is considered that any adverse effects on the environment relating to an assessment under the matters of discretion outlined within the PDP will be no more than minor.

B] Assessment under the ORP:Water for Otago (ORP:W)

Under the ORP:W, the subject mooring is considered to raise actual or potential effects on the environment relating to the following matters:

- i. Effects on the lake bed/ecological values*
- ii. Effect on any natural and human use value identified in Schedule 1 of the ORP:W*

The Applicant has provided an assessment of effects at Sections 4.1.2 and 4.1.5 which relate to an assessment of the proposal under the ORP:W. This assessment is considered adequate and is adopted for the purposes of this report with the following additions:

i. Effect on the recognised values listed in the ORP:W

The ORP:W outlines the natural and human use values of various watercourses throughout the Otago Region. Whakātipu-Wai-Māori is identified within Schedule 1 of the ORP:W, as having specific values needing to be protected.

Schedule 1A of the ORP:W identifies the natural values associated with Whakātipu-Wai-Māori. It is recognised that the mooring subject to this application will alter the natural character of the lake, however this effect is considered to be less than minor. The proposed works will not affect ecology, natural flow characteristics or water quality of the lake.

Schedule 1B of the ORP:W identifies lakes and rivers where the water taken is used for public water supply purposes. There is one water supply within the Frankton Arm of Whakātipu-Wai-Māori, as identified in Schedule 1B of the ORP:W. However, the subject mooring is not located within the vicinity of this, being separated by a considerable distance.

⁵ RM260456

Schedule 1C lists registered historic places. For the purposes of an assessment under the ORP:W, there are no historic places/features listed within Schedule 1C of the ORP:W within the vicinity of the subject mooring.

Schedule 1D identifies the spiritual and cultural beliefs, values and uses associated with water bodies of significance to Kāi Tahu. As outlined in the assessment of cultural effects relevant to the QLDC application and PDP, the proposal can be seen as a potential threat to the values that Whakātipu-Wai-Māori holds for Kāi Tahu.

The Applicant has not been able to provide any information from Kāi Tahu on the effects its mooring may or may not have on Kāi Tahu cultural values. Consequently, without input from Kāi Tahu on cultural effects, the proposal has to be seen as a potential threat to the values that Whakātipu-Wai-Māori holds for Manawhenua. In considering the existing location of this mooring within an already modified environment with other surrounding moorings and jetties, it is considered that adverse cultural effects on the environment are minor.

ii. Summary of effects under the ORP:W

Overall, it is considered that any adverse effects on the environment in relation to effects on the lake bed/ecological values, and the values identified within Schedules 1A-1C of the ORP:W will be no more than minor. Adverse effects on the significance of Whakātipu-Wai-Māori to Kāi Tahu, as identified within Schedule 1D of the ORP:W, is considered to be minor.

3.3.4 Decision: Effects On The Environment (s95A(8))

On the basis of the above assessment, it is assessed that the proposed activity will not have adverse effects on the environment that are more than minor. Therefore, public notification is not required under Step 3.

3.4 Step 4 – Public Notification in Special Circumstances

There are no special circumstances in relation to this application.

4. LIMITED NOTIFICATION (s95B)

Section 95B(1) requires a decision on whether there are any affected persons (under s95E). The following steps set out in this section, in the order given, are used to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

4.1 Step 1: certain affected groups and affected persons must be notified

Determination under s95B(2)

The proposal does not affect protected customary rights groups, and does not affect a customary marine title group; therefore, limited notification under s 95B(2) is not required.

Determination under s95B(3)

The consent authority must determine –

- (a) *whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and*
- (b) *whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.*

The proposed mooring is to be located in and attached to the lakebed of Whakātipu-Wai-Māori, which is subject to a statutory acknowledgement made in accordance with the Ngāi Tahu Claims Settlement Act 1998 (which is an Act specified in Schedule 11 of the RMA).

In determining if the person to whom the statutory acknowledgement is made is an affected person under section 95E, the consent authority is not required to necessarily find Kāi Tahu affected, but requires the acknowledgement to be taken into account in determining whether they are affected (that is whether they are affected in a manner different from the public generally).

An assessment on whether Kāi Tahu is considered to be adversely affected follows:

Te Rūnanga / Rūnaka o Ngāi Tahu

The assessment contained within Section 3.3.3 against the Schedule 1D values under the ORP:W is relevant to an assessment of whether Ngāi Tahu (or Kāi Tahu) is considered to be adversely affected. Both the ORP:W and the QLDC PDP recognise Kāi Tahu as a partner in the management and protection of the Region/District's water resources through the implementation of these Plans, whereby it is acknowledged that input from Kāi Tahu (who are the Manawhenua of this District) is required in order to fully understand the effects that the proposed mooring within statutory acknowledgement and wāhi tūpuna areas have on cultural/spiritual values. As stated in section 3.3.3 of this report, the application does not contain information from Kāi Tahu on the effects its mooring may or may not have on Kāi Tahu cultural values.

The proposed mooring involves the placement of a permanent structure on the bed Whakātipu-Wai-Māori in the form of a swing mooring system. The proposal can therefore be seen as a potential threat to the values that Whakātipu-Wai-Māori holds for Manawhenua.

Based on the conclusions reached within Section 3.3.3 of this report, and taking into consideration the statutory acknowledgement of Whakātipu-Wai-Māori, the effects on Kāi Tahu will be minor for the purposes of section 95E of the RMA.

Accordingly, Kāi Tahu, whose interests in the Queenstown Lakes District are represented by Aukaha and Te Ao Marama Incorporated, is determined to be an affected person under section 95E (s95B(3)).

4.2 Step 2: if not required by Step 1, limited notification precluded in certain circumstances

Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or is not subject to a NES that precludes notification (s95B(6)(a)).

Limited notification is not precluded under Step 2 as the proposal is not for a controlled activity (s95B(6)(b)).

4.3 Step 3: if not precluded by Step 2, certain other affected persons must be notified

If limited notification is not precluded by Step 2, a consent authority must determine, in accordance with section 95E, whether the following are affected persons:

Boundary activity

The proposal is not a boundary activity.

Any other activity

The proposal is not a boundary activity and therefore the proposed activity falls into the 'any other activity' category (s95B(8)), and the adverse effects of the proposed activity are to be assessed in accordance with section 95E.

4.3.1 Considerations in assessing adverse effects on Persons (S95E(2)(a)-(c))

- a) The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect (a "permitted baseline"). Section 3.3.2 above sets out the relevance of the permitted baseline to this application.

- b) The consent authority **must** disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and
- c) The consent authority **must** have regard to every relevant statutory acknowledgement specified in [Schedule 11](#).

4.3.1 [ii] Persons who have provided written approval (s95E(3))

The persons identified in Section 3.3.1 above have provided their **written approval** and as such adverse effects on these parties are disregarded for the purpose of s95E(3).

4.3.2 Assessment: Effects on Persons

Taking into account the exclusions in sections 95E(2) and (3) as set out in section 4.3.1 above, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor:

Surrounding land owners:

The properties accessed from Peninsula Road overlook the proposed mooring location, although they are separated from the Lake by the foreshore reserve, as can be seen in Figure 1 above.

As outlined in Section 3.3.3 above, mooring M53 forms an anticipated part of the Frankton Arm, being located within a cluster of existing moorings and adjacent to nearby features such as a jetties. Further, the proposed mooring is a small element in the context of the surrounding landscape.

Overall, adverse effects associated with landscape and amenity values on owners and occupiers of surrounding properties will be less than minor.

Adjacent mooring permit holders:

As noted earlier in this report under navigational safety (Section 3.3.3 above), the QLDC Harbourmaster has confirmed that any existing navigational safety concerns associated with M53, such as a swing radius conflict with adjacent moorings, can be remediated by shortening the overall length of tackle associated with M53 by 2m (remedying the swing radius overlap with M381). Further, the permit holder for M54 has agreed to move their mooring to remove the identified swing radius conflict with M53. On this basis, adjacent permit holders are not considered to be adversely affected by the proposal.

4.3.3 Decision: Effects on Persons (s95E(1))

The persons considered affected pursuant to section 95E of the RMA and therefore to be served notice of the application are illustrated and tabled as follows:

Person (owner/occupier)	Address (location in respect of subject site)
Aukaha	N/A
Te Ao Marama Incorporated	N/A

4.4 Step 4 – Further Notification in Special Circumstances (s95B(10))

Special circumstances do not apply that require limited notification.

5. NOTIFICATION DETERMINATION

For the reasons set out in sections 3 and 4 of this notification decision report, under s95A and s95B of the RMA, the application is to be processed on a limited notified.

Prepared by

Decision made by



Rebecca Holden
CONSULTANT PROCESSING PLANNER

Jane Sinclair
INDEPENDENT COMMISSIONER

6.0 APPENDICES LIST

APPENDIX 1 – Applicant's AEE

APPENDIX 2 – Navigational Safety Report – M53

APPENDIX 1 – APPLICANT’S AEE

BLAIR DAVIES

EXISTING SWING MOORING
LAKE WAKATIPU | WHAKĀTIPU-WAI-MĀORI

Application for resource consents from both
the Queenstown Lakes District Council and the Otago Regional Council
to legalise existing private swing mooring #53 located on
the southern shoreline of the Frankton Arm
of Lake Wakātipu | Whakātipu-Wai-Māori

Resource Consent Application

May 2026



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APPENDICES:

- A** Location/site plan
- B** Record of Title for applicant's property with which mooring #53 is associated
- C** Mooring Inspection Report by Mr Garry Wright of Wright Building and Diving Services Ltd
- D** Copy of the Applicant's current Mooring Permit

DOCUMENT STATUS

Version	Purpose of Document	Prepared By	Reviewer	Date
Draft v1	Internal draft	BVS	SN	1/5/26
Draft v2	Draft for client approval	BVS 4/5/26	BD	6/5/26
Final	Resource Consent	BVS	-	11/5/26

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1 INTRODUCTION

1.1 Overview/Background

This application has been prepared for and on behalf of Blair Davies (the Applicant). The Applicant is seeking land use resource consent to legalise an existing private swing mooring (mooring #53) located on the southern shoreline of the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori. The swing mooring, which is understood to predate the Resource Management Act 1991 (RMA), includes buoys (top section), shackles and chain, and a concrete block (bottom section), and is associated with 558 Peninsula Road, Kelvin Heights, Queenstown (the Applicant's property). The legal description of the Applicant's property is Lot 6 Deposited Plan 11504 held in Record of Title 325221 (**Appendix B**). A location/site plan is attached as **Appendix A**. The bed of Lake Wakātipu | Whakātipu-Wai-Māori is Crown land managed by Land Information New Zealand (LINZ).

Restricted Discretionary Activity resource consent is sought for mooring #53 under Proposed Queenstown Lakes District Plan (PDP) Rule 21.15.7 'Jetties and Moorings in the Frankton Arm'. As the Otago Regional Council (ORC) has delegated its responsibilities under Section 13(1)(a) of the Resource Management Act 1991 (RMA) to the Queenstown Lakes District Council (QLDC), a Discretionary Activity resource consent is also sought under Regional Plan: Water for Otago (Regional Plan) Rule 13.2.3.1 for the placement of a structure (i.e., mooring #53) on and over the bed of Lake Wakātipu | Whakātipu-Wai-Māori.

No other resource consents are required for the proposed activity. Structures within an identified wāhi tūpuna area are a Permitted Activity under PDP Rule 39.4.2, and the Applicant will hereafter be able to rely on PDP Rule 21.15.4¹, under which minor repairs, maintenance or alteration of the mooring, as an activity on the surface of the Lake, is a Permitted Activity, and on Regional Plan Rules 13.1.1.1², 13.3.1.1³, 13.3.1.2⁴ and 13.5.1.1⁵, under which the use, repair, maintenance, extension, alteration, replacement or reconstruction of the structure as a Permitted Activity, subject to the conditions of those rules.

The Applicant seeks land use resource consent for a duration of 35 years, in accordance with Section 123(c) of the RMA.

Table 1 on the following page provides an overview of the application.

¹ 'Minor repairs, maintenance or alterations of existing operational jetties and moorings'.

² 'The use of a structure – Permitted activities: No resource consent required'.

³ Begins "The repair or maintenance or any lawful structure..."

⁴ Begins "The extension, alteration, replacement or reconstruction of any lawful structure..."

⁵ Begins "The disturbance of the bed of any lake...and any resulting discharge or deposition of bed material associated with..."

Table 1: Overview of the application

Application details	
Applicant	Blair Davies
Applicant's Property	558 Peninsula Road, Kelvin Heights, Queenstown
Legal Description of Applicant's Property	Lot 6 Deposited Plan 11504 held in Record of Title 325221 (Appendix B)
Address (Application Site)	Bed and surface of Lake Wakātipu Whakātipu-Wai-Māori (Frankton Arm), to the southwest of 558 Peninsula Road, Kelvin Heights, Queenstown (Appendix A)
Location (GPS coordinates – WGS84 Decimal Degrees)	Bed and surface of Lake Wakātipu Whakātipu-Wai-Māori at: 45° 02' 41.17 S, 168° 41' 07.04 E (WGS84 Decimal Degrees)
Legal Description	N/A Crown land – lake bed
Site Area	N/A
Owner/s	The bed of Lake Wakātipu Whakātipu-Wai-Māori is Crown land managed by LINZ
Operative Queenstown Lakes District Plan (ODP) – Zoning	Rural General Zone
Proposed Queenstown Lakes District Plan (PDP) (Revision 15 April 2026) – Zoning	Water - Rural Zone
PDP Designations and Special Provisions (Revision 15 April 2026) – Schedule of Wāhi Tūpuna	Wāhi Tūpuna Reference Number: 33 Name: Whakātipu-Wai-Māori (Lake Wakātipu) Manawhenua Values: “Whakapapa, rakatirataka, kaitiakitaka, mana, mauri. Wāhi taoka, mahika kai, ara tawhito.” Potential threats: Includes “b. Buildings and structures, utilities” and “f. Commercial, and commercial recreational activities”.
Proposed Activity	The Applicant is seeking resource consent to legalise an existing swing mooring (#53) located in the bed of Lake Wakātipu Whakātipu-Wai-Māori at Frankton Arm to moor a single recreational vessel on the surface of Lake Whakātipu Whakātipu-Wai-Māori.
Consents Sought	Under the PDP, Restricted Discretionary Activity resource consent under Rule 21.15.7 'Jetties and Moorings in the Frankton Arm', for the mooring, as an activity on the surface of the Lake ⁶ . Under the Regional Plan, Discretionary Activity resource consent under Rule 13.2.3.1 for the placement of a

⁶ There are no longer any relevant rules under the ODP, given the relevant rules under the PDP are treated as operative pursuant to RMA section 86F 'When rules in proposed plans must be treated as operative'.

	structure on and over the bed of Lake Wakātipu Whakātipu-Wai-Māori.
Consent Term (Duration) Sought	35 years
Bundled Activity Status	Discretionary
Notification Sought	Limited notification to iwi (both Aukaha and Te Ao Marama Incorporated as the representatives of Kāi Tahu)

1.2 Scope of Environmental Documentation

This application for resource consent has been prepared in accordance with Section 88 of the Resource Management Act 1991 (RMA). This document provides an Assessment of Environmental Effects (AEE) for the proposal. The document describes the following:

- **Section 1:** Provides an overview/background of the proposed activity, sets out the scope of environmental documentation and lists the affected parties/persons with whom there has been pre-application consultation.
- **Section 2:** Provides an outline of the activity location and presents a detailed discussion on the proposed activity.
- **Section 3:** Provides a description of the regulatory framework, setting out the consent requirements and activity status.
- **Section 4:** Provides an assessment of the actual or potential environmental effects of the proposed activity and proposed measures to avoid, remedy or mitigate those effects, as required by the Fourth Schedule of the RMA and provides an assessment of the proposed activity against other matters.
- **Section 5:** Provides an assessment of the proposed activity against statutory planning considerations.
- **Section 6:** Considers alternative locations or methods and is part of the assessment of the activity's effects on the environment.
- **Section 7:** Provides a summary and conclusions.

1.3 Pre-application Consultation

1.3.1 Pre-application consultation with Queenstown Lakes District Council (QLDC)

The Applicant advises that they forwarded QLDC's 'Swing mooring inspection & Information form' completed by Mr Garry Wright of Wright Building and Diving Services Ltd, dated 23 January 2026, to QLDC on 13 February 2026, and that they received a response on 19 February 2026 that Council had filed the report. There has been no subsequent pre-application consultation with QLDC.

1.3.2 Pre-application consultation with affected persons/parties

At the time of preparing this document, pre-application consultation with affected parties/persons, for the purposes of Section 95E of the RMA, has been in the form of providing them consultation material about the proposed activity⁷. No responses have been received to date, as summarised in Table 2 below, with limited notification to iwi sought.

Table 2: Parties/persons with whom pre-application consultation about the proposed activity has been undertaken and responses (if any) received at time of preparing this document

Affected party/person	Pre-application consultation response
Aukaha	Response awaited – however the Applicant requests limited notification to iwi.
LINZ	Response awaited
Te Ao Marama Incorporated (TAMI)	Response awaited – however the Applicant requests limited notification to iwi.
QLDC Harbourmaster	Response awaited, however it is expected that the Harbour Master will provide input through the Council's resource consent processing pathway, not as an affected party.

Based on mooring #53 having existing use rights pursuant to Section 10 of the RMA (refer to Section 3.1.1 below) and Permitted Activity Rules 39.4.2 and 21.15.4 of the PDP and 13.1.1.1, 13.3.1.1, 13.3.1.2 and 13.5.1.1 of the Regional Plan (as described above and assessed below), it is considered the proposal will not adversely affect any other person or party.

Any responses obtained after lodgement of this application will be provided as they are received and in accordance with Section 104(3)(a)(ii) of the RMA, any adverse effects on these parties/persons must then be disregarded.

2 DESCRIPTION OF THE PROPOSAL

In this section, the consent background is summarised, an outline of the activity location including receiving environment provided, and a detailed discussion on the proposed activity presented.

2.1 Consent Background (Planning History)

The mooring is understood to predate the RMA. The photographs on the following page are historical images showing moorings in the area that pre-date the RMA, and show that where moorings still exist today, they have been part of this shoreline since at least 1984.

⁷ 'Supporting information for written approval consideration'.



Photo 1: Historic imagery showing the activity location, image taken 16/12/1988 (Source: Retrolens Historical Image Resource, Released Filename: CROWN_8996_I_5).

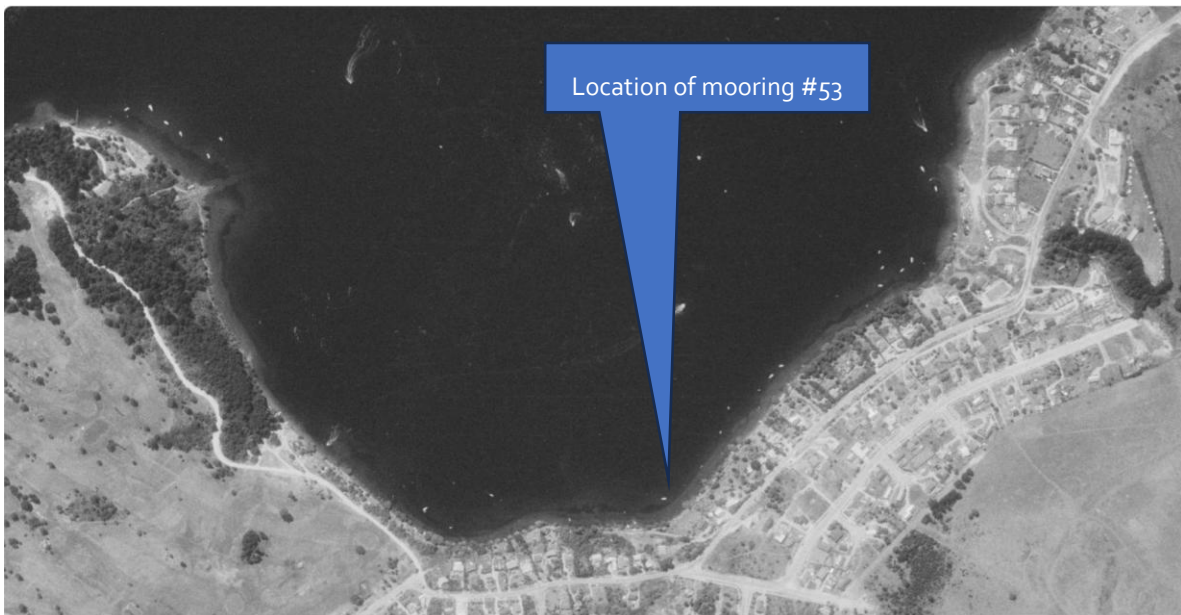


Photo 2: Historic imagery showing the activity location, image taken 31/12/1984 (Source: Retrolens Historical Image Resource, Released Filename: CROWN_8436_H_1).

2.2 Activity Location (The Site and Receiving Environment)

2.2.1 The Receiving Environment

The receiving environment is primarily comprised of Lake Wakatipu|Whakātipu-Wai-Māori, with mooring #53 located in the bed of the lake on the southern shoreline of the Frankton Arm. Whakātipu Wai Maori (Lake Wakatipu) is a Statutory Acknowledgment Area under Schedule 75 of the Ngāi Tahu Claims Settlement Act 1998. The Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Whakātipu-Wai-Māori.

The PDP (Schedule of Wāhi Tūpuna) identifies Lake Wakātipu | Whakātipu-Wai-Māori as a wāhi tupuna (reference 33) and identifies “Whakapapa, rakatirataka, kaitiakitaka, mana, mauri. [and] Wāhi taoka, mahika kai, ara tawhito” as Manawhenua values that contribute to the Lake being significant.

The Regional Plan (Schedule 1D) also identifies that Kai Tahu ascribe the following spiritual and cultural beliefs, values and uses to Whakātipu-Wai-Māori:

- Kaitiakitanga – the exercise of guardianship by Kai Tahu in accordance with tikanga Maori; and includes the ethic of stewardship;
- Mauri – life force;
- Waahi tapu and/or Waiwhakaheke – sacred places;
- Waahi taoka – treasured resource;
- Mahika kai – places where food is procured or produced;
- Kohanga – important nursery/spawning areas for native fisheries and/or breeding grounds for birds;
- Trails – sites and water bodies which formed part of traditional routes, including tauraka waka (landing place for canoes); and
- Cultural materials – water bodies that are sources of traditional weaving materials (such as raupo and paru) and rongoa (medicines).

The Regional Plan’s Schedule 1A is a schedule of natural values, and identifies Lake Whakātipu as having ecosystem values (reads “Psize, Pplant, Weedfree, Hjuve(t&s), Hriparian, Eel, Trout, Salmon, Sigveg, Rarefish, Invrare”); outstanding values as a fishery, for its scenic characteristics, for scientific value (in particular water clarity, and bryophyte community), for recreational purposes (in particular boating), for historical purposes, and for significance in accordance with tikanga Māori (in particular sites at the head of the lake, and the legend of the lake itself); and scenic values within the wider landscape context of the surrounding mountains. Schedule 1A also identifies the lake as significant habitat for koaro and having significant vegetation (reads “Rare association of aquatic plants”).

Lake Wakātipu | Whakātipu-Wai-Māori supports a range of commercial and recreational surface water activities, including berths and moorings for vessels⁸, and is widely used during the summer months for activities such as boating, paddle boarding, and kayaking.

The receiving environment also includes the shoreline surrounding the Frankton Arm, which is highly modified. This area contains recreational areas such as Kelvin Peninsula Reserve and the Kelvin Heights Golf Course located to the west on the Kelvin Peninsula; the Kelvin Peninsula Track, which is primarily a walking track but also shared with bikers and golfers; adjoining land zoned Informal Recreation;

⁸ For example, see ‘\$20m marina finally opens | Otago Daily Times Online News’ – published 25 November 2022, the article discusses the second stage of the Queenstown Marina development on Frankton Arm.

residential development; and roads. The Kelvin Peninsula Slipway and associated facilities, and its use by the TSS Earnslaw, are important features of the Informal Recreation Reserve at the Kelvin Peninsula. Figure 1 below shows the Frankton Arm of Lake Wakātipu|Whakātipu-Wai-Māori.

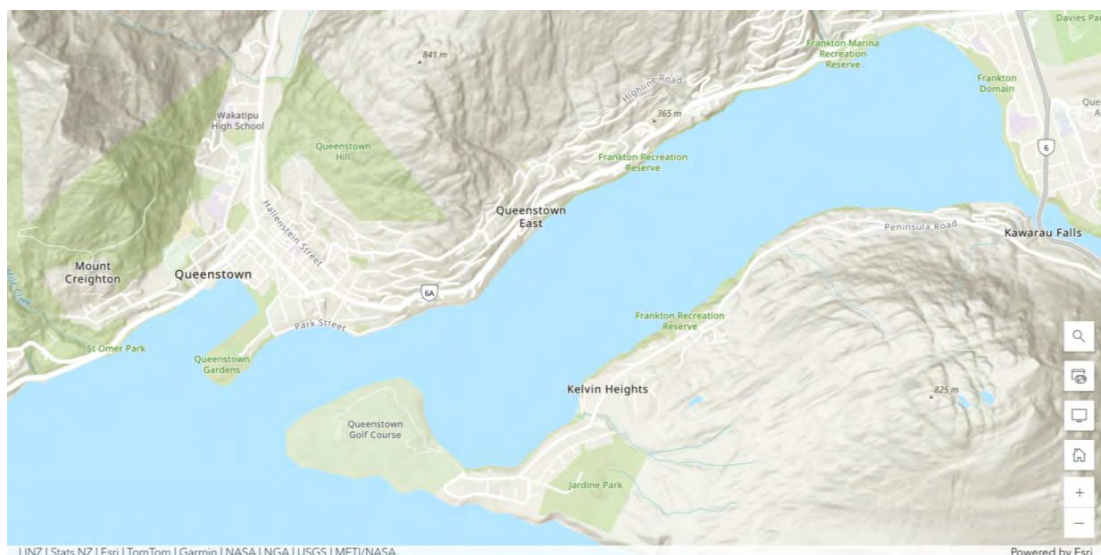


Figure 1: Location plan showing the Frankton Arm of Lake Wakātipu|Whakātipu-Wai-Māori, with Kelvin Heights along its southern shoreline (Source: [arcgis.com](https://www.arcgis.com)⁹).

Figure 2 below shows Kelvin Heights along the southern shoreline of the Frankton Arm at a smaller scale than Figure 1. It shows land zoned Informal Recreation, with the Kelvin Peninsula Track labelled. The red dots show moorings (show QLDC's 'Mooring Inspection - Wakatipu_stakeholder - Survey Point' feature layer Survey Points).

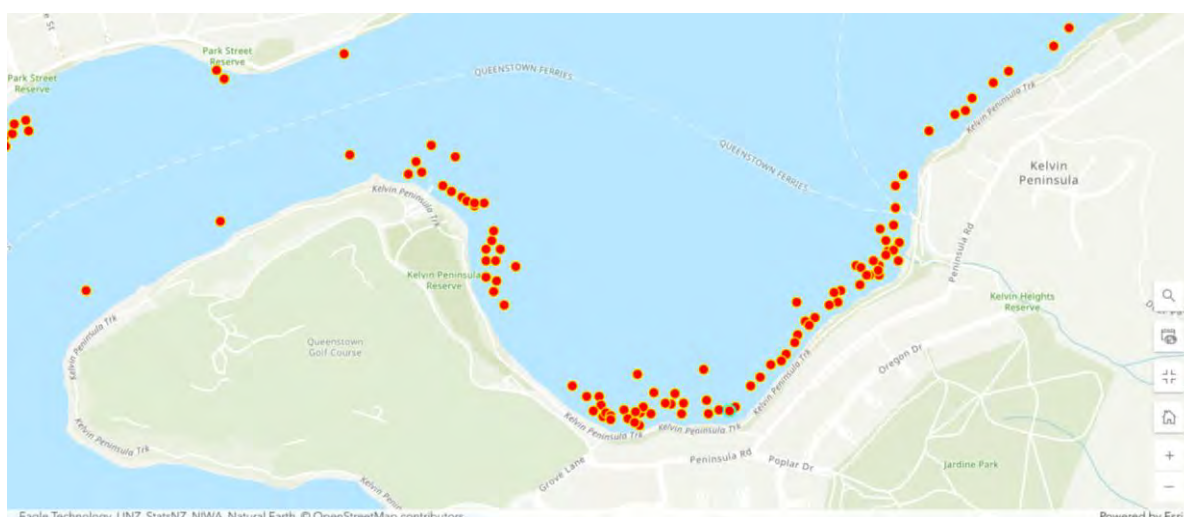


Figure 2: Topographic (Vector) basemap showing the Frankton Arm of Lake Wakātipu|Whakātipu-Wai-Māori, focusing on Kelvin Heights along its southern shoreline. The Survey Point detail shows moorings (from mooring inspections) as red dots. Mooring #53 is the red dot with blue outline (Source: [arcgis.com](https://www.arcgis.com)¹⁰).

⁹ <https://www.arcgis.com/apps/mapviewer/index.html>.

¹⁰ <https://www.arcgis.com/apps/mapviewer/index.html>. NZ Topographic (Vector) basemap. 'Moorings Inspection - Wakatipu_stakeholder' Feature layer (Item updated 1 May 2020).

2.2.2 The site

Mooring #53 is a private swing mooring located in the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori at 45° 02' 41.17 S, 168° 41' 07.04 E (WGS84 Decimal Degrees). This GPS position is a confirmed true block location, verified by Mr Garry Wright of Wright Building and Diving Services Ltd (refer to **Appendix C**).

The mooring sits adjacent to land designated under Designation 184 for the purpose of 'Recreation Reserve and Esplanade Reserve', which is largely used as a walking track along Kelvin Heights, and lies to the north of 669 Peninsula Road, Kelvin Heights. Figures 3 and 4 below show the location of mooring #53 within the Frankton Arm, with Figure 4 presented at a smaller scale than Figure 3, showing the mooring's location relative to 669 Peninsula Road. The mooring is associated with 558 Peninsula Road, Kelvin Heights, however (being the Applicant's property).

Figures 3 and 4 also illustrate (as does Figure 2 above) that this stretch of shoreline features several moorings. Figure 5, which is presented on a QLDC Aerial Imagery basemap, shows that approximately seven to eight vessels are berthed at any one time. These moorings have been a feature of the shoreline here since at least 1984 (refer to Photos 1 and 2 above).

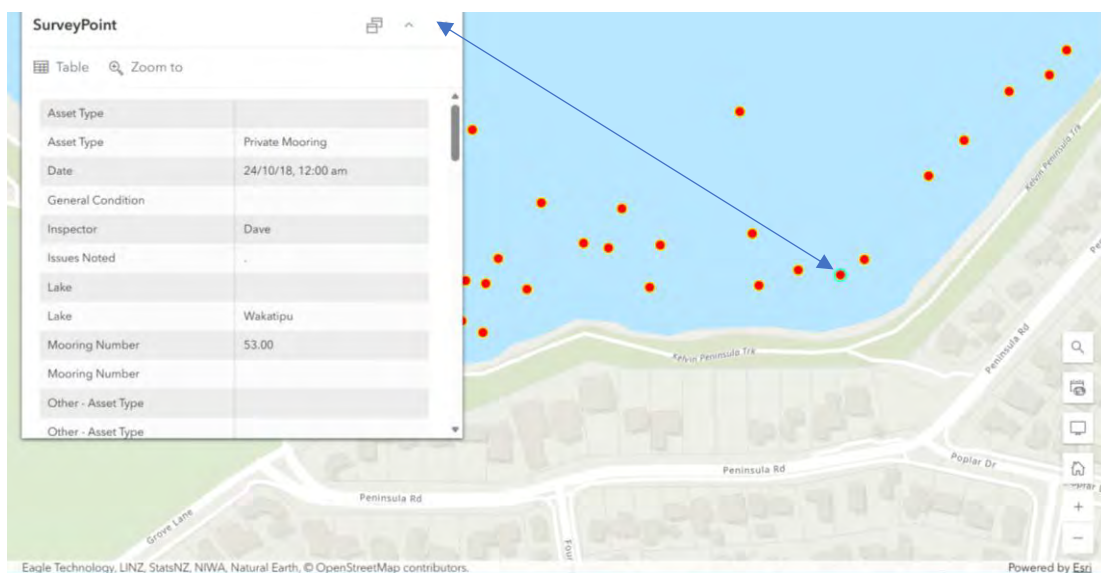


Figure 3: The location of mooring #53 (red dot with blue outline) on a NZ Topographic (Vector) basemap (Source: arcgis.com¹¹).

¹¹ As above.

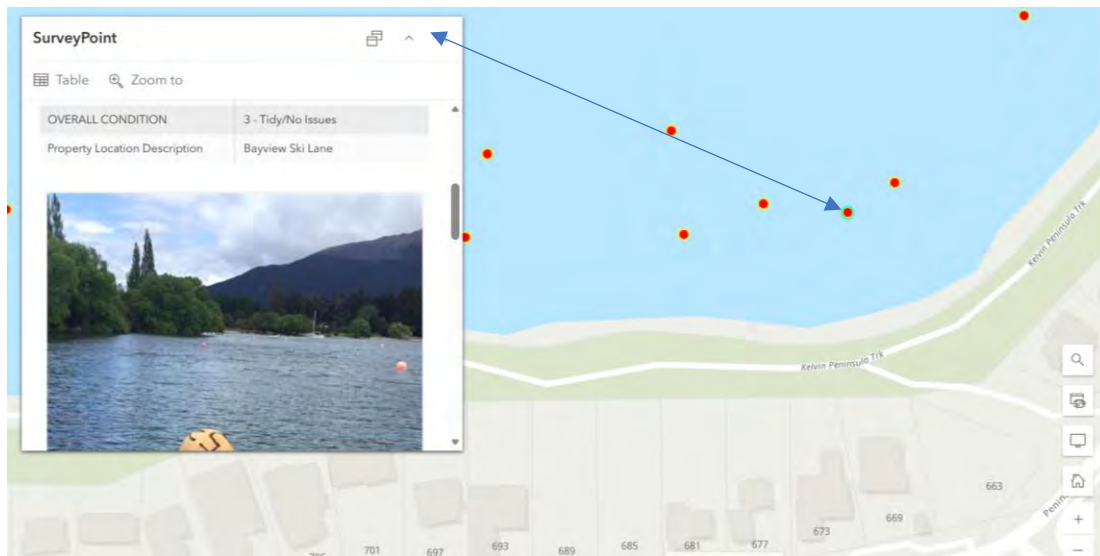


Figure 4: The location of mooring #53 (red dot with blue outline) on a NZ Topographic (Vector) basemap, at a larger scale than Figure 1 shows. The Survey Point detail includes a photograph of the mooring buoy. (Source: arcgis.com¹²).

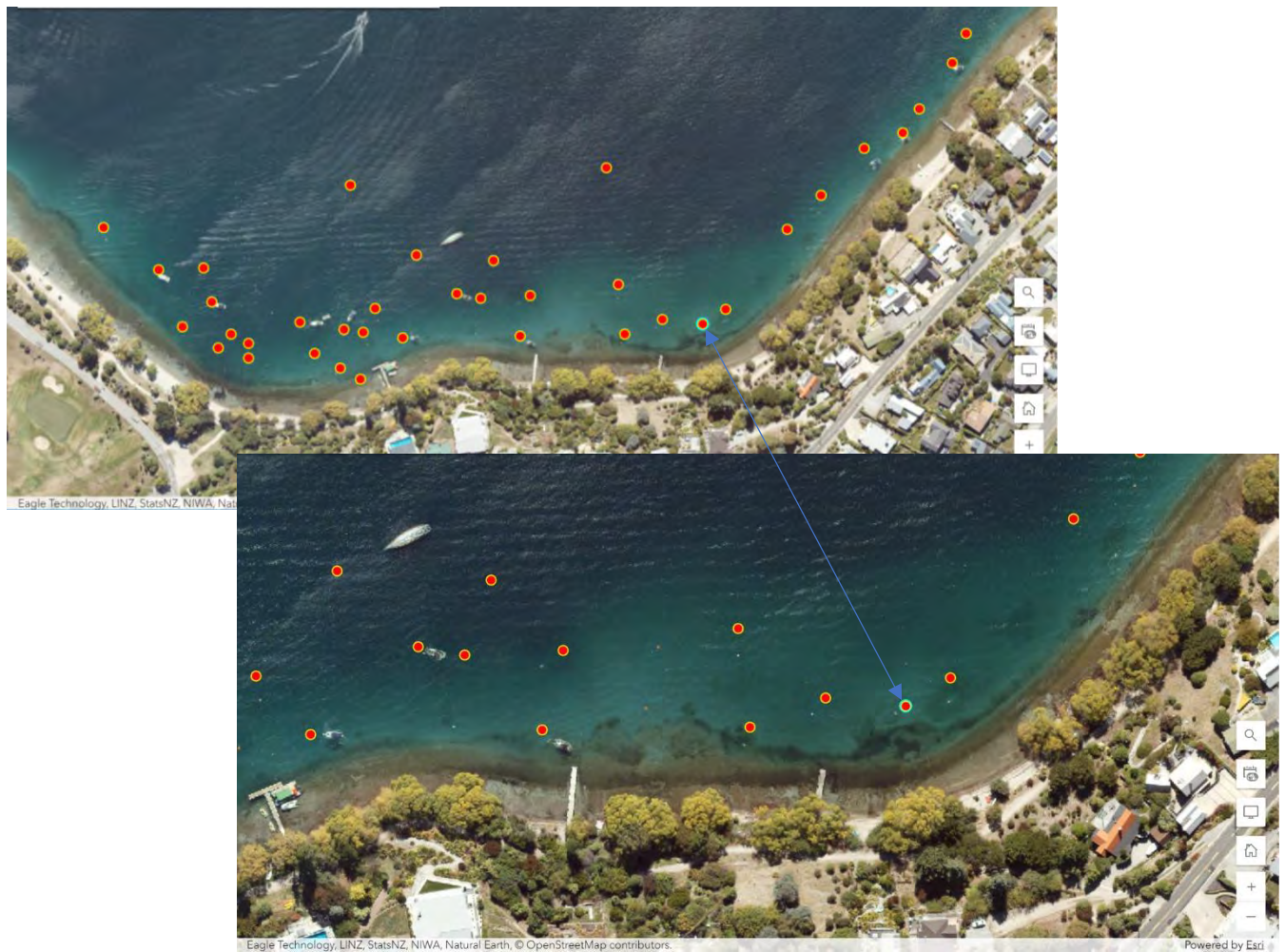


Figure 5: The location of mooring #53 (red dot with blue outline) on a QLDC Aerial Imagery basemap (Source: [Arcgis.com](https://arcgis.com)).

¹² As above.

2.3 Description of Proposed Activity

Resource consent is sought to legalise an existing private swing mooring (mooring #53) located on the southern shoreline of the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori. The mooring is associated with the Applicant's property at 558 Peninsula Road, Kelvin Heights.

The swing mooring, which is understood to predate the RMA (refer to Section 2.1 above), includes buoys (top section), shackles and chain, and a concrete block (bottom section).

As detailed in the Mooring Inspection Report by Mr Garry Wright of Wright Building and Diving Services Ltd (refer to **Appendix C**), the concrete mooring block, which measures 1 metre (m) x 1 m x 0.5 m and has an estimated dry weight of 1,050 kilograms, includes a 32 millimetre (mm) rebar block ring¹³ that is connected by a 16 mm diameter block shackle to a 5 m ground chain. The ground chain connects to a 4.5 m middle chain, which in turn connects to an 'A4 Pink' mooring buoy that is numbered '53'. Photo 3 below shows it and the Applicant's pick-up buoy (the small buoy with a handle), which is yellow in colour. The boat attachment consists of a 1.5 m rope strop with a stainless steel thimble and 16 mm shackle, together with 0.5 m of 13 mm chain.



Photo 3: Photograph from the Mooring Inspection Report (Appendix C) showing the components of mooring #53 visible at and from the surface of the Lake, from alongside the mooring.

¹³ It is cast into the concrete.

The components of mooring #53 have been identified by Mr Garry Wright, who is suitably qualified and experienced to undertake this work, as being in good condition, and the calculated total swing radius of mooring #53 at the lowest Lake level is 9 m (refer to **Appendix C**).

Photo 4 below shows the earlier mooring buoy (now replaced, as shown in Photo 3) and a view towards the shoreline. Photos 5, 6 and 7 are recent photographs showing the location of mooring #53 within the Frankton Arm of the Lake.



Photo 4: Photograph from arcgis.com 'Moorings Inspection - Wakatipu_stakeholder' Feature layer (Item updated 1 May 2020), copied from the Survey Point detail for mooring #53. This photograph shows an earlier surface float for mooring #53 (compare with the more recent Photo 3). (Source: As described above, Survey Point detail last edited by QLDC on 10/24/2018).



Photo 5: Photograph taken by the Applicant showing the location of mooring #53 within the Frankton Arm of Lake Wakatipu / Whakātipu-Wai-Māori. View from the Kelvin Peninsula Track (April 2026).



Photo 6: Photograph taken by the Applicant showing the location of mooring #53 within the Frankton Arm of Lake Wakātipu |Whakātipu-Wai-Māori. View from standing on jetty (April 2026).



Photo 7: Photograph taken by the Applicant showing the location of mooring #53 within the Frankton Arm of Lake Wakātipu |Whakātipu-Wai-Māori. View from the shoreline. Compare with Photo 6, which shows the same jetty (April 2026).

The purpose of mooring #53 is for securing a recreational vessel, and in accordance with Section 123(c) of the Resource Management Act 1991 a land use consent for the mooring is sought for a duration of 35 years.

The Applicant requests that the application be limited notified to iwi (both Aukaha and Te Ao Marama Incorporated as the representatives of Kāi Tahu).

3 CONSENT REQUIREMENTS AND ACTIVITY STATUS

3.1 Sections 10, 10A and 20A of the Resource Management Act (RMA)

Section 139A 'Consent authorities to issue existing use certificates' of the RMA refers to Sections 10, 10A and 20A. These sections are addressed on the following page.

3.1.1 Section 10 of the RMA

Section 10(1) prescribes (with emphases added) that:

“Land may be used in a manner that contravenes a rule in a district plan or proposed district plan if—
(a)...

- (i) the use was lawfully established before the rule became operative or the proposed plan was notified; and*
- (ii) the effects of the use are the same or similar in character, intensity, and scale to those which existed before the rule became operative or the proposed plan was notified”.*

Comment:

Mooring #53 is understood to predate the RMA and is therefore considered to have been lawfully established. As mooring #53 continues to operate with similar character, intensity and scale, it is considered to have existing use rights pursuant to Section 10 of the RMA.

3.1.2 Section 10A of the RMA

Section 10A prescribes (with emphases added) that:

“In respect of the use of the surface of water in lakes and rivers where, as a result of a rule in a district plan becoming operative, or a rule in a proposed district plan taking legal effect in accordance with section 86B or 149N(8), an activity that formerly was a permitted activity or that otherwise could have been lawfully carried out without a resource consent requires consent, the activity may continue to be carried on after the rule in the plan becomes operative, or the rule in the proposed plan takes legal effect in accordance with section 86B or 149N(8), if—

- (a) the activity was lawfully established before the rule in the plan became operative or the rule in the proposed plan took legal effect in accordance with section 86B or 149N(8); and*
- (b) the effects of the activity are the same or similar in character, intensity, and scale to those which existed before the rule in the plan became operative or the rule in the proposed plan took legal effect in accordance with section 86B or 149N(8); and*
- (c) the person carrying on the activity applies for a resource consent from the appropriate consent authority within 6 months of the rule in the plan becoming operative.”*

Comment:

Section 10A(c) identifies that, although mooring #53 is considered to have been lawfully established and have existing use rights (as has been described above), its activity on (use of) the surface of the water nevertheless requires a resource consent under the PDP (there are no longer any relevant rules under the ODP, given the relevant rules under the PDP are treated as operative pursuant to RMA section 86F ‘When rules in proposed plans must be treated as operative’).

3.1.3 Section 20A of the RMA

Section 20A(2) prescribes (with emphases added) that:

“If, as a result of a rule in a regional plan becoming operative, an activity requires a resource consent,

the activity may continue after the rule becomes operative if, —

- (a) before the rule became operative, the activity—*
 - (i) was a permitted activity or allowed to continue under subsection (1) or otherwise could have been lawfully carried on without a resource consent; and*
 - (ii) was lawfully established; and*
- (b) the effects of the activity are the same or similar in character, intensity, and scale to the effects that existed before the rule became operative; and*
- (c) the person carrying on the activity has applied for a resource consent from the appropriate consent authority within 6 months after the date the rule became operative and the application has not been decided or any appeals have not been determined.”*

Comment:

Section 20A(2)(c) identifies that, although mooring #53 is considered to have been lawfully established and have existing use rights (as has been described above), its bed disturbance activity nevertheless requires a resource consent under the Regional Plan.

3.2 Consents Required

The Proposed Queenstown Lakes District Plan (PDP) and the Regional Plan: Water for Otago (Regional Plan) are the relevant plans with respect to this application (there are no longer any relevant rules under the ODP, given the relevant rules under the PDP are treated as operative pursuant to RMA section 86F ‘When rules in proposed plans must be treated as operative’). The following consents are required.

3.2.1 Proposed Queenstown Lakes District Plan (PDP)

Section 10A(c) of the RMA identifies that the existing mooring requires a resource consent under the PDP (as has been described above), and the following consent is required:

- **Restricted Discretionary Activity** under Rule 21.15.7 ‘Jetties and Moorings in the Frankton Arm’, as an activity on the surface of Lake Wakātipu|Whakātipu-Wai-Māori, because mooring #53 is located on the southern shoreline of the Frankton Arm of the Lake (i.e., within the Frankton Arm, identified as “the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application”), and therefore consent as a Non-Complying Activity under Rule 21.15.9 ‘Structures and Moorings’ for being in a location the District Plan web mapping application shows as being Non-Complying is not triggered.

Discretion is restricted to the following matters:

- a. whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;*
- b. whether the structure causes an impediment to craft manoeuvring and using shore waters.*

- c. *the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;*
- d. *the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;*
- e. *whether the structure will be used by a number and range of people and craft, including the general public;*
- f. *the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design; and*
- g. *whether the structure enables the use of public water ferry services and/or water based transport.”*

3.2.2 Regional Plan: Water for Otago (Regional Plan)

Section 20A(2)(c) of the RMA identifies that the existing mooring requires a resource consent under the Regional Plan (as has been described above), and the following consent is required:

- **Discretionary Activity** under Rule 13.2.3.1 for the placement of a structure (i.e., mooring #53) on and over the bed of Lake Wakātipu | Whakātipu-Wai-Māori, as the mooring is not provided for by Permitted Activity Rules 13.2.1.1 to 13.2.1.7, 13.2.1.7A, 13.2.1.7B and 13.2.1.8 or by Restricted Discretionary Activity Rule 13.2.2.1.

3.2.3 Assessment against relevant Permitted Activity rules

No other resource consents are required for the proposed activity, as there are no longer any relevant rules under the ODP (as has been described above) and as the Applicant will hereafter be able to rely on Permitted Activity rules, with activity on the surface of the Lake associated with minor repair, maintenance or alteration a Permitted Activity under PDP Rule 21.15.4¹⁴, and with the use, repair, maintenance, extension, alteration, replacement or reconstruction of a structure a Permitted Activity under Regional Plan Rules 13.1.1.1¹⁵, 13.3.1.1¹⁶, 13.3.1.2¹⁷ and 13.5.1.1¹⁸ subject to the conditions of those rules. A full assessment against the relevant Permitted Activity rules of the PDP and the Regional Plan is set out in Tables 3 and 4, respectively, below.

Table 3: Assessment of the proposal against the relevant Permitted Activity rules of the PDP

Rule	
Rule 21.15.4: “Minor repairs, maintenance or alterations of existing operational jetties and moorings.”	Complies

¹⁴ ‘Minor repairs, maintenance or alterations of existing operational jetties and moorings’.

¹⁵ ‘The use of a structure – Permitted activities: No resource consent required’.

¹⁶ Begins “The repair or maintenance or any lawful structure...”

¹⁷ Begins “The extension, alteration, replacement or reconstruction of any lawful structure...”

¹⁸ Begins “The disturbance of the bed of any lake...and any resulting discharge or deposition of bed material associated with...”

Rule 39.4.2: <i>"Structures within an identified wāhi tūpuna area are permitted."</i>	Complies
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Table 4: Assessment of the proposal against the relevant Permitted Activity rules of the Regional Plan

Rule	
Rule 13.1.1.1: <i>"The use of any structure that is fixed in, on, under, or over the bed of any lake or river, or any Regionally Significant Wetland, is a permitted activity, providing:</i> <i>(a) The structure is lawfully established; and</i> <i>(b) In the case of a change in use, the effects of the new use of the structure are the same or similar in character, intensity and scale as the preceding use; and</i> <i>(c) Measures are taken to avoid animal waste entering the lake, river or Regionally Significant Wetland; and</i> <i>(d) The structure is maintained in good repair."</i>	Complies The structure is considered to have been lawfully established and have existing use rights under Section 10 of the RMA, but not under Sections 10A and 20A (as has been described above), however it will, through this application, become lawfully established under the RMA. Mooring #53 will be maintained in good repair.
Rule 13.3.1.1: <i>"The repair or maintenance of any lawful structure in, on, under or over the bed of a lake or river, or any Regionally Significant Wetland, is a permitted activity providing:</i> <i>(a) There is no permanent change to the scale, nature or functions of the structure."</i>	Complies The structure is considered to have been lawfully established and have existing use rights under Section 10 of the RMA, but not under Sections 10A and 20A (as has been described above), however it will, through this application, become lawfully established under the RMA. Any repair or maintenance of mooring #53 will not change its scale, nature or function.
Rule 13.3.1.2: <i>"The extension, alteration, replacement or reconstruction of any lawful structure in, on, under or over the bed of a lake or river, or any Regionally Significant Wetland, is a permitted activity providing:</i> <i>(a) In the case of a replacement or reconstruction, the structure is replaced or reconstructed in the same location as the original structure; and</i> <i>(b) There is no permanent change to the scale, nature or functions of the structure, except where a rule under 13.2.1 applies to that structure and the conditions of that rule are met."</i>	Complies The structure is considered to have been lawfully established under Section 10 of the RMA, but not under Sections 10A and 20A (as has been described above), however it will, through this application, become lawfully established under the RMA. Maintenance work on the mooring will not change the scale of the mooring. If replaced the new mooring will be placed in the same location and at the same scale as the existing mooring.
Rule 13.5.1.1: <i>"The disturbance of the bed of any lake or river, or any Regionally Significant Wetland, and any resulting discharge or deposition of bed material associated with:</i> <i>(i) The erection, placement, extension, alteration, replacement, reconstruction, repair, maintenance, demolition or removal, of any structure that is fixed in, on, under or over the bed of any lake or river, or the wetland."</i>	Complies Any lake bed disturbance and discharge activity will be limited to the matters identified in Rule 13.5.1.1(i).

3.2.4 Activity Status

In summary, the consent proposal is:

- A Restricted Discretionary Activity under PDP Rule 21.15.7 because mooring #53 is located on the southern shoreline of the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori; and
- A Discretionary Activity under Regional Plan Rule 13.2.3.1 for the placement of a structure (i.e., mooring #53) on and over the bed of Lake Wakātipu | Whakātipu-Wai-Māori.

Bundled consent is sought for a **Discretionary Activity**.

4 ASSESSMENT OF ENVIRONMENTAL EFFECTS

Section 88 and Schedule 4 of the RMA require an assessment of any actual or potential effects **in such detail as corresponds with the scale and significance of the effects** that the proposed activity may have on the environment, and the ways in which any adverse effects may be avoided, remedied or mitigated.

The following environmental effects are considered relevant to this application:

- Landscape, visual and amenity effects;
- Effects associated with disturbance of the bed of the Lake and ecological effects;
- Effects on other users of the Lake;
- Effects on navigation and water safety;
- Effects on historic values, spiritual and cultural values; and
- Positive effects.

These effects are discussed in detail below. Other matters (Schedule 4 of the RMA) are then discussed before a summary of effects.

4.1 Actual or Potential Effects

4.1.1 Landscape, visual and amenity effects

Landscape, visual and amenity effects are relevant to addressing PDP Rule 21.15.7 matters of discretion points a), c), d) and f).

Mooring #53 is located outside of the wider Whakātipu-Wai-Māori Outstanding Natural Landscape, which is reflected in the PDP rule network (i.e., with moorings a Restricted Discretionary rather than a Non-Complying Activity in the Frankton Arm, as described above). Mooring #53 is not a dominant or obtrusive element in the Frankton Arm shorescape or the wider Lake views because, although visible from the surface of the Lake and from elevated public and private viewpoints around the Frankton

Arm, as well as from parts of the southern shoreline, it forms an established part of the existing shorescape and sits within a wider cluster of existing moorings and jetties accessed from the Kelvin Heights Peninsula walking track (refer to Figures 3 to 5 above). Mooring #53 has formed part of the receiving environment for many years (e.g., see Photo 4 above) and is not large. Its bright colours (the pink A4 mooring buoy and the yellow pick-up buoy, as shown in Photo 3) are required for navigational safety and are therefore expected for the activity.

Mooring #53 will not obstruct views or diminish the recreational experience of people using public areas around the shoreline, particularly the walking track corridor and adjoining reserve land at Kelvin Heights, which is zoned Informal Recreation (with the PDP defining ‘informal recreation’ as “a pastime, leisure sport or exercise activity that occurs on an ad hoc basis or on a regular basis and contributes to a person’s enjoyment and/or relaxation. Excludes Organised sport and recreation”, and noting both that the Informal Recreation zone applies to QLDC administered reserves and that the PDP details “where a reserve adjoins a water body, the reserve is zoned to recognise, and provide for, the interrelationship between the water activities and the land based component of those activities”¹⁹). The mooring is visible from some sections of the Kelvin Peninsula walking track, which is well utilised by the public, but these views are intermittent. Users of the walking track and of the Lake also view mooring #53 within the wider context of existing moorings, jetties, and both recreational and commercial Lake activity (such as water skiing associated with the Kelvin Grove ski lane²⁰). As a result, the presence of mooring #53 does not introduce a new or prominent visual element; being able to see moorings and vessels moored is neither unusual nor unexpected (noting that under PDP Rule 39.4.2 moorings are a Permitted Activity within an identified wāhi tūpuna area, which includes the Lake (reference 33)). The visual appearance of mooring #53 on the surface of Lake Wakātipu | Whakātipu-Wai-Māori is therefore as expected for the activity.

Due to the above, and noting that mooring #53 has long formed part of the receiving environment and does not change the number of stationary vessels on the surface of the Lake (as it is an existing mooring), the mooring is considered compatible with the landscape and amenity values of this part of Lake Wakātipu | Whakātipu-Wai-Māori, including colour, materials, design. For context, the RMA defines ‘amenity values’ as “*those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes*”, and Section 4.1.3 further assesses effects on other users of this part of the Lake (i.e., recreational effects) and Section 4.1.5 assesses effects on historic values, spiritual and cultural values.

Overall, for the reasons outlined above, it is considered that the proposal will have a less than minor

¹⁹ Chapter 38 Open Space and Recreation Zones, 38.1 Purpose.

²⁰ navigation-safety-bylaw-2025-te-ture-a-rohe-mo-te-haumaru-whakatere-2025-web (1).pdf

effect on the environment with respect to landscape, visual and amenity effects.

4.1.2 Effects associated with disturbance of the bed of the Lake and ecological effects

A Mooring Inspection Report carried out on 23 January 2026 by Mr Garry Wright of Wright Building and Diving Services Ltd is attached as **Appendix C**. The Mooring Inspection Report identifies the components of mooring #53, and records that all are in good condition. The mooring concrete block, which is described as being “permanent (approx. 50 years ?)” with a “Block attachment [that] could last 25 year?”, was not observed to have shifted or become buried on the bed of Lake Wakātipu | Whakātipu-Wai-Māori.

The Applicant’s current Mooring Permit, issued on 1 July 2025 (refer to **Appendix D**), includes maintenance requirements that align with the inspection findings above.

The Applicant will hereafter be able to rely on PDP Rule 21.15.4²¹, under which minor repairs, maintenance or alteration of the mooring, as an activity on the surface of the Lake, is a Permitted Activity, and on Regional Plan Rules 13.1.1.1²², 13.3.1.1²³, 13.3.1.2²⁴ and 13.5.1.1²⁵, under which the use, repair, maintenance, extension, alteration, replacement or reconstruction of the structure as a Permitted Activity, subject to the conditions of those rules (including that the structure is maintained in good repair²⁶, there is no permanent change to the scale, nature or functions of the structure²⁷, the structure is replaced or reconstructed in the same location as the original structure²⁸, and the bed disturbance is limited to the extent necessary to undertake the work²⁹). Therefore, no further assessment is necessary in this regard.

With respect to ecological effects, the Applicant acknowledges that aquatic pest species are present in the lakes, including Lagarosiphon, and volunteers conditions of consent to ensure that all reasonable precautions are taken to minimise the spread of pest plants and aquatic weed and that no waste product enters the Lake when the mooring is in use.

Overall, for the reasons outlined above, and noting that mooring #53 has long formed part of the receiving environment, it is considered that the proposal will have a negligible effect on the

²¹ ‘Minor repairs, maintenance or alterations of existing operational jetties and moorings’.

²² ‘The use of a structure – Permitted activities: No resource consent required’.

²³ Begins “The repair or maintenance or any lawful structure...”

²⁴ Begins “The extension, alteration, replacement or reconstruction of any lawful structure...”

²⁵ Begins “The disturbance of the bed of any lake...and any resulting discharge or deposition of bed material associated with...”

²⁶ Rule 13.1.1.1(d).

²⁷ Rule 13.3.1.1(a) and Rule 13.3.1.2(b).

²⁸ Rule 13.3.1.2(a).

²⁹ Rule 13.5.1.1(d).

environment with respect to disturbance of the bed of the Lake, and a less than minor effect on the environment with respect to ecological effects.

4.1.3 Effects on other users of the Lake

With respect to addressing PDP Rule 21.15.7 matters of discretion points c), e) and g), mooring #53 is an existing private swing mooring and the purpose of the mooring will remain the same (i.e., for securing a recreational vessel). The mooring will not be available for the general public, however does not preclude this use occurring elsewhere in the Frankton Arm.

The Applicant's current Mooring Permit, issued on 1 July 2025 (refer to **Appendix D**), includes a condition that the mooring must remain in the "position of mooring" described within the permit and that the permit holder (the Applicant) must mark the location of the mooring with a buoy or float that displays the permit number. The Mooring Inspection Report carried out on 23 January 2026 by Mr Garry Wright of Wright Building and Diving Services Ltd (refer to **Appendix C**) – with details subsequently completed by the Applicant for the 6.5 m recreational powered craft 'Priority', the primary vessel using mooring #53 – confirms the mooring's position (confirmed true block location) and records that all its components are in good condition. The components of the mooring system include a pink mooring buoy with the number 53 on top (refer to Photos 3 and 5-7).

Photos 1 and 2 show that moorings have been located within Lake Wakātipu|Whakātipu-Wai-Māori at the Frankton Arm for at least 40 years, including in the location of mooring #53, with the photographs recently taken by the Applicant (refer to Photos 5-7) showing that mooring #53 remains within a cluster of existing moorings and adjacent to nearby features (e.g., with jetty 13 visible in Photos 6 and 7, and Photo 5 having been taken from the Kelvin Peninsula Track).

Given the existing environment and pattern of development, mooring #53 is considered a sufficient distance from the shoreline not to affect or diminish the recreational experience of people using public areas around the shoreline. Mooring #53 is, for example, to the southeast of the Kelvin Grove Beach area, which lies adjacent to the Wakatipu Yacht Club near the entrance to the Frankton Arm of Lake Wakātipu|Whakātipu-Wai-Māori. Mooring #53 is considered to be a small element in the context of the surrounding landscape (refer to Section 4.1.1 above) and in keeping with use of the Frankton Arm in this location (refer to Figures 2-5 and Photos 5-7) and unlikely to adversely affect the recreation experience of other users of the Lake on the southern shoreline of the Frankton Arm, such as swimmers, kayakers, and other boaters (with effects on navigation and water safety assessed below).

Overall, for the reasons outlined above, mooring #53 will have a no more than minor effect on other users of the Lake.

4.1.4 Effects on navigation and water safety

Effects on navigation and water safety are relevant to addressing PDP Rule 21.15.7 matters of discretion points b) and d), and to an extent c) and g).

The components of mooring #53 have been identified by Mr Garry Wright, who is suitably qualified and experienced to undertake this work, as being in good condition (refer to **Appendix C**), and the Applicant notes Mr Wright's estimated life expectancy of the mooring prior to upgrades or replacements being needed – with the Mooring Inspection Report stating, "Concrete Block is permanent (approx. 50 years ?) Block attachment could last 25 years? Chains and components will have to be inspected every 2 years."

The Mooring Inspection Report calculated a total swing radius of 9 m for mooring #53 at the lowest lake level, noting that the lowest water level is when a moored vessel will be at its maximum distance from its mooring block. The Applicant subsequently provided details of the primary vessel using mooring #53 – a recreational powered craft of 6.5 m length (refer to **Appendix C**) – and it is expected that the Harbour Master will provide input through the Council's resource consent processing pathway with respect to whether the mooring, when a vessel is moored to it, causes an impediment to craft manoeuvring and using shore waters (particularly, with respect to adjacent mooring #54).

Due to mooring #53 being an existing mooring located approximately 35 m from the shoreline, within a low speed environment³⁰, and outside the general public swimming and recreational areas of the Frankton Arm, and noting that no recent navigation or safety concerns that have been identified by the Harbour Master in relation to its current position, it is considered that adverse effects on navigation and water safety will be no more than minor however, while noting that the Harbour Master will provide an assessment (i.e., prepare a navigational safety report).

4.1.5 Effects on historic values, spiritual and cultural values

Whakatipu-wai-māori (Lake Wakatipu) is a Statutory Acknowledgment Area under Schedule 75 of the Ngai Tahu Claims Settlement Act 1998. Lake Wakātipu|Whakātipu-Wai-Māori contains significant cultural values. This includes that the lake once supported nohoanga and villages which were the seasonal destinations of Otago and Murihiku (Southland) whānau and hapū for many generations, exercising ahi kā and accessing mahinga kai and providing a route to access the treasured pounamu located beyond the head of the lake within the Dart and Routeburn River catchments³¹. Furthermore, Whakatipu-wai-māori is one of three principal lakes feeding the Clutha/Mata-au River and it is

³⁰ Under Clause 9.1 of the QLDC Navigational Safety Bylaw 2025, within 200 metres of the shore or any structure (mooring), a vessel must not travel at a speed greater than 5 knots.

³¹ Details sourced from www.legislation.govt.nz/act/public/1998/0097/latest/DLM431308.html

acknowledged that water plays a significant role in cultural and spiritual beliefs, including that “*He taura whiri kotahi mai anō te kopunga tai nō i te pu au*” (from the source to the mouth of the sea all things are joined together as one)³².

A review of the Kai Tahu ki Otago Natural Resource Management Plan has been undertaken, and the proposal is not considered to be inconsistent with its issues and objectives. There is no sediment release from the activity, as the mooring is existing; there is no discharge of human waste from the activity into water, nor will there be; no contaminants are discharged to water, nor will they be (with the Applicant volunteering a condition of consent that no waste product enters the Lake when the mooring is in use); and the proposal does not alter flow within the Lake. In addition, the proposed activity does not require any earthworks to be undertaken, as described above; and structures within an identified wāhi tūpuna area are a Permitted Activity under PDP Rule 39.4.2.

Overall, for the reasons outlined above, effects on historic values, spiritual and cultural values are considered to likely be less than minor, noting that while there has been pre-application consultation with Aukaha and TAMI, the Applicant requests limited notification to iwi (refer to Table 2).

4.1.6 Positive Effects

The continued use of mooring #53, lawfully under the RMA, will have a positive effect on the Applicant through providing for their social wellbeing.

4.2 Other Matters

Pursuant to Schedule 4 of the RMA, there are several other matters that must be addressed by an Assessment of Environmental Effects as set out below:

a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:

This mooring is existing, and the location, scale, and purpose of the mooring will remain the same. These matters have been addressed above in Section 4.1.

b) any physical effect on the locality, including any landscape and visual effects:

This matter has been addressed above in Section 4.1 (refer to Section 4.1.1).

c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:

This matter has been addressed above in Section 4.1 (refer to Section 4.1.2).

³² Kai Tahu ki Otago Natural Resource Management Plan 2005, Chapter 5.3 Wai Maori.

d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:

This matter has been addressed above in Section 4.1, noting here that there are no historic places/features listed within Schedule 1C 'Schedule of registered historic places' of the Regional Plan³³ within the vicinity of mooring #53 and, as set out in Tables 1 and 2 and in Section 2.3, the Applicant requests limited notification to iwi (both Aukaha and Te Ao Marama Incorporated as the representatives of Kāi Tahu).

e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:

The Applicant volunteers a condition of consent that no waste product enters the Lake when the mooring is in use. There will be no unreasonable emission of noise associated with the mooring.

f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations:

The mooring by reason of its location in the Lake is subject to natural hazards such as flooding, however there are no additional risks to the neighbourhood, the wider community or the environment than what currently exists, so the effects through natural hazards are less than minor.

4.3 Summary of Effects

Mooring #53 is considered to be appropriate in this location. Overall, the proposal will have no more than minor effects on the environment.

5 STATUTORY CONSIDERATIONS

5.1 Resource Management Act 1991 (RMA)

Resource consent applications must be considered under Part 2 of the Act. Part 2 includes the purpose and principles of the Act.

5.1.1 Purpose (Section 5)

As provided in Section 5, the purpose of the Act is "...to promote the sustainable management of natural and physical resources." The Act defines the term sustainable management as follows:

"...means managing the use, development, and protection of natural and physical resources in

³³ This schedule identifies registered historic places which occur in, on, under or over the beds or margins of Otago's lakes and rivers.

a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

Comment:

Mooring #53 is existing, and the location, scale, and purpose of the mooring will remain the same. Adverse effects associated with the proposal are expected to be avoided or otherwise mitigated, and subject to conditions, the mooring will have no more than minor effects on the environment (refer to Section 4 above). The proposal is considered appropriate in this location and consistent with RMA Section 5.

5.1.2 Principles (Sections 6, 7 and 8)

Sections 6, 7 and 8 list a number of matters to which decision makers under the Act must pay special attention. Matters of national importance must be provided for (Section 6), other matters must have particular regard paid to them (Section 7) and the principles of the Treaty of Waitangi must be taken into account (Section 8).

Section 6 of the Act – Matters of National Importance states:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognize and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) the protection of recognised customary activities:*
- (h) the management of significant risks from natural hazards.*

Comment:

The natural character within this area is modified, as described above, and this proposal forms part of

the receiving environment. Regarding RMA Sections 6(a) and 6(d), existing public access to the Lake is maintained, and the mooring does not affect access along the Lake (e.g., use of the walking track). RMA Section 6(b) is not applicable, and there are no known areas of significant indigenous vegetation or significant habitats of indigenous fauna (RMA Section 6(c)). The proposal is not inconsistent with RMA Section 6(e) matters (refer to Section 4.1 above), including Section 6(g), and is not considered inappropriate (RMA Section 6(f)). Overall, the proposal is considered to be consistent with RMA Section 6.

Section 7 – Other Matters prescribes other matters to which persons shall “have particular regard”, and of relevance to the proposal are the following:

- (a) *kaitiakitanga:*
- (aa) *the ethic of stewardship:*
- (b) *the efficient use and development of natural and physical resources:*
- (c) *the maintenance and enhancement of amenity values:*
- (d) *intrinsic values of ecosystems:*
- (f) *the maintenance and enhancement of the quality of the environment:*
- (g) *any finite characteristics of natural and physical resources:*

Comment:

Section 4 provides an assessment of effects. Overall, the proposal is considered to be consistent with RMA Section 7.

Section 8 – Treaty of Waitangi relates to the Treaty and states:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Comment:

The proposal is not considered inconsistent with RMA Section 8. Refer the assessment in relation to RMA Section 6(e). The iwi management plans ‘Kāi Tahu ki Otago Natural Resource Management Plan’ and ‘Te Tangi a Tauira – The Cry of the People (Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008)’ are further considered below in Sections 5.6 and 5.7, respectively. Overall, the proposal is not considered inconsistent with the provisions relevant to the proposal.

5.1.3 Overall assessment against Part 2

Overall, for the reasons outlined above, the proposal is considered to be consistent with Part 2 of the Act.

5.2 National Policy Statement for Freshwater Management 2020 (NPS-FM)

The National Policy Statement for Freshwater Management 2020 Amended December 2025 (NPS-FM) provides local authorities with direction on how to manage freshwater under the RMA. It applies to all freshwater (including groundwater) and, to the extent they are affected by freshwater, to receiving environments (which may include estuaries and the wider coastal marine area). The objective of the policy statement seeks to ensure that natural and physical resources are managed in a way that first, prioritises the health and well-being of water bodies and freshwater ecosystems; second, the health needs of people (such as drinking water); and third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future. The following policies of the NPS-FM are relevant to this application:

- *Policy 2: ...Māori freshwater values are identified and provided for.*
- *Policy 15: Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.*

Comment:

The proposal is consistent with the objective and policy direction (specifically, Policies 2 and 15) in the NPS-FM. It is considered that the continued use of mooring #53, lawfully under the RMA, will not adversely affect the health and wellbeing of Lake Wakātipu | Whakātipu-Wai-Māori (specifically, the Frankton Arm of the Lake), and that it will provide for the social wellbeing of the Applicant. As identified in Sections 5.6 and 5.7 below, it is considered the legalisation and continued use of the mooring is consistent with the issues and objectives within the area's iwi management plans.

Overall, for the reasons outlined above, the proposal is considered to be consistent with the NPS-FM.

5.3 Queenstown Lakes Operative District Plan (June 2018) (ODP)

Section 4.6 'Surface of Lakes and Rivers' of the ODP contains objectives and policies relevant to this application; notably, the following:

<i>Objectives</i>	<i>Recreational activities undertaken in a manner which avoids, remedies or mitigates, their potential adverse effects on:</i> • <i>natural conservation values and wildlife habitats,</i> • <i>other recreational values,</i> • <i>public health and safety,</i> • <i>takata whenua values, and</i> • <i>general amenity values.</i>
<i>Policy 2</i>	<i>To enable people to have access to a wide range of recreation experiences on the lakes and rivers, based on the identified characteristics and environmental limits of the various parts of each lake and river.</i>

- Policy 3* *On each lake and river, to provide for the range of recreational experiences and activities which are most suited to and benefit from the particular natural characteristics.*
- Policy 12* *To avoid adverse effects on the public availability and enjoyment of the margins of the lakes and rivers.*
- Policy 13* *To ensure that the location, design and use of structures and facilities which pass across or through the surface of any lake and river or are attached to the bank of any lake and river, are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided or mitigated.*

Comment:

The proposal is consistent with the above provisions; as has been assessed in Section 4 above, it avoids or mitigates adverse effects on natural conservation values and wildlife habitats, other recreational values, public health and safety, takata whenua values, and general amenity values, and the continued use of mooring #53, lawfully under the RMA, will have a positive effect on the Applicant through providing for their social wellbeing (Objectives).

Mooring #53 is located within a cluster of moorings that form part of the receiving environment, and Photos 1 and 2 show that moorings have been in the Frankton Arm for at least 40 years, including in the location of mooring #53 (Policies 12 and 13). Mooring #53 is used by the Applicant to moor a recreational vessel for recreational experiences on Lake Wakātipu | Whakātipu-Wai-Māori (Policies 2 and 3). The pink A4 mooring buoy and the yellow pick-up buoy that are visible on the surface of the Lake (refer to Photo 3 and Photos 5-7) are brightly coloured for navigational safety purposes. Mooring #53 is located within 200 m of the shoreline and away from the Kelvin Grove Beach area frequented by the public, thereby avoiding adverse effects on safety and conflicts with recreational and other activities on the Lake. It is noted that within 200 meters of the mooring or shore, a maximum speed of 5 knots applies. As the mooring forms part of the receiving environment, and because moorings are anticipated structures on the Lake, the mooring will not detract from the enjoyment of the public using the margin of the Lake for recreational purposes (Policies 12 and 13).

Overall, for the reasons outlined above, the proposal is considered to be consistent with the Section 4.6 'Surface of Lakes and Rivers' objectives and policies listed above.

5.4 Queenstown Lakes Proposed District Plan (PDP)

Chapters 5 and 39 provide direction for activities within identified Wāhi Tūpuna areas.

The following provisions of Chapter 5 (Tangata Whenua) are considered relevant to this application:

Objective 5.3.5 *Wāhi tūpuna and all their components are appropriately managed and*

protected.

Policy 5.3.5.5 Avoid where practicable, adverse effects on the relationship between Ngāi Tahu and the wāhi tūpuna.

The following provisions of Chapter 39 (Wāhi Tūpuna) are considered relevant to this application:

Objective 39.2.1 Manawhenua values, within identified wāhi tūpuna areas, are recognised and provided for.

Policy 39.2.1.2 Recognise that the effects of activities may be incompatible with Manawhenua values when that activity is listed as a potential threat within an identified wāhi tūpuna area, as set out in Schedule 39.6.

Policy 39.2.1.3 Within identified wāhi tūpuna areas:
a. avoid significant adverse effects on Manawhenua values and avoid, remedy or mitigate other adverse effects on Manawhenua values from subdivision, use and development listed as a potential threat in Schedule 39.6; and
b. avoid, remedy or mitigate adverse effects on Manawhenua values from subdivision, use and development within those identified wāhi tūpuna areas where potential threats have not been identified in Schedule 39.6.

Policy 39.2.1.4 Encourage consultation with Manawhenua as the most appropriate way for obtaining understanding of the effects of any activity on Manawhenua values in a wāhi tūpuna area.

Comment:

The proposed activity is not specifically listed as a potential threat to Lake Wakātipu | Whakātipu-Wai-Māori (regarding the Lake, PDP Schedule 39.6 ‘Schedule of Wāhi Tūpuna’ lists “b. Buildings and structures...” and “c. Earthworks”).

Pre-application consultation with Aukaha and TAMI has been undertaken by the Applicant, however no response has been received as set out in Table 2, with the Applicant now requesting limited notification to iwi.

5.5 Regional Plan: Water for Otago (Regional Plan)

Chapter 8 ‘The Beds and Margins of Lakes and Rivers’ of the Regional Plan contains objectives and policies relevant to this application; notably, the following:

Objective 8.3.1 To maintain:
(a) The stability and function of existing structures located in, on, under or over the bed or margin of any lake or river;
(b) The stability of the bed and bank of any lake or river; and
(c) ...

8.5 Policies applying to structures

Policy 8.5.1 *To require, where necessary, desirable and practicable, any structure in or on the bed of any lake or river to provide for fish migration through or past it, or alternative remedial measures where fish migration is not practicable.*

8.6 Policies applying to bed or margin disturbance

Policy 8.6.2 *To promote best management practices for activities that occur within or adjacent to the bed of lakes and rivers in order to avoid, remedy or mitigate any adverse effect.*

Comment:

The proposal is considered to be consistent with the above provisions. This is because mooring #53 is existing and its components are in good condition, as described above. It is also because rules are written to give effect to policies and objectives, and with the use, repair, maintenance, extension, alteration, replacement or reconstruction of a structure within Lake Wakātipu | Whakātipu-Wai-Māori a Permitted Activity under Regional Plan Rules 13.1.1.1, 13.3.1.1, 13.3.1.2 and 13.5.1.1 subject to the conditions of those rules (refer to Table 4).

5.6 Kāi Tahu ki Otago Natural Resource Management Plan 2005

In the Kāi Tahu ki Otago Natural Resource Management Plan 2005, Whakātipu-Wai-Māori (Lake Wakātipu) is covered by the Clutha/Mata-au Catchment, with Section 10.3 addressing Wāhi Tapu, Section 10.4 addressing Mahika Kai and Biodiversity, and Section 10.5 addressing Cultural Landscapes. Relevant policies from these sections include the following:

Section 10.3.3 Wāhi Tapu Policies in the Clutha/Mata-au Catchment

- 1 *To require that wāhi tapu sites are protected from further loss or destruction.*
- 2 *To require accidental discovery protocols for any earth disturbance activities.*

Section 10.4.3 Mahika Kai and Biodiversity Policies in the Clutha/Mata-au Catchment

5. *To encourage customary use practises.*
- Pest Control and Management:*
6. *To encourage environmental and educational efforts to halt the spread of lagarosiphon and other pest species.*
7. *To require co-ordinated pest management controls*

Section 10.5.3 Cultural Landscapes Policies in the Clutha/Mata-au Catchments

- Policy 7** *To require that all moorings situated in the vicinity of nohoaka and camping sites to be publicly available.*
- Policy 9** *To require jetties and moorings to be located where they will not impede or restrict access to lakes, rivers and wetlands.*

Comment:

The proposal is considered to be consistent with Section 10.3.3 Policies 1 and 2 and not inconsistent with Section 10.4.3 Policy 5, as structures within an identified wāhi tūpuna area are a Permitted

Activity under PDP Rule 39.4.2; mooring #53 is an existing mooring and the purpose of the mooring will remain the same. In addition, as the mooring is existing, no earthworks are required. Regarding Section 10.4.3 Policies 6 and 7, the Applicant volunteers a condition of consent to ensure that all reasonable precautions are taken to minimise the spread of pest plants and aquatic weed. Regarding Section 10.5.3 Policy 7, Map 13 of the Plan identifies the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori is not within the vicinity of a nohoaka site, and mooring #53 is not located where it will impede or restrict access to Lake Wakātipu | Whakātipu-Wai-Māori (Section 10.5.3 Policy 9). While there has been pre-application consultation with Aukaha and TAMI, the Applicant requests limited notification to iwi (refer to Table 2).

5.7 Te Tangi a Tauira – The Cry of the People (Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008)

Te Tangi a Tauira – The Cry of the People does not contain any direct policy that provides specific direction for structures or moorings in Lake Wakātipu | Whakātipu-Wai-Māori. The only references to moorings appear in 3.6.3 ‘Structures in the Coastal Marine Area’ and 3.6.6 ‘Fiordland Commercial Surface Water Activities’, with no equivalent policy relating to structures in lakes.

6 ASSESSMENT OF ALTERNATIVES

Where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity is required (Schedule 4 clause 6 (1)(a) of the RMA), and where an activity includes the discharge of any contaminant, a description of any possible alternative methods of discharge including discharge into any other receiving environment is required (Schedule 4 clause 6 (1)(d)(ii) of the RMA). The proposed activity is not expected to result in any significant adverse effect on the environment however, therefore no description of alternative locations is considered. Nor are alternative methods considered.

7 SUMMARY AND CONCLUSIONS

Resource consent is sought to authorise an existing private swing mooring (mooring #53) located on the southern shoreline of the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori. The swing mooring, which is understood to predate the RMA, is associated with the Applicant’s property at 558 Peninsula Road, Kelvin Heights, Queenstown.

Consent is sought as a Restricted Discretionary Activity under PDP Rule 21.15.7 ‘Jetties and Moorings in the Frankton Arm’ and as a Discretionary Activity under Regional Plan Rule 13.2.3.1 for the

placement of a structure (i.e., mooring #53) on and over the bed of the Lake. Bundled, the proposal is a Discretionary Activity. The Applicant will hereafter be able to rely on Permitted Activity rules, with activity on the surface of the Lake associated with minor repair, maintenance or alteration a Permitted Activity under PDP Rule 21.15.4, and with the use, repair, maintenance, extension, alteration, replacement or reconstruction of a structure a Permitted Activity under Regional Plan Rules 13.1.1.1, 13.3.1.1, 13.3.1.2 and 13.5.1.1 subject to the conditions of those rules.

The application includes an assessment of the likely effects of mooring #53 on the environment and a statutory assessment. Overall, effects are considered to be no more than minor, and the authorisation of mooring #53 is consistent with the relevant objective and policy direction of the applicable planning documents.

Overall, the proposal is consistent with the purpose and principles of the RMA. It is therefore considered appropriate that the proposal be granted for the duration sought (35 years).

APPENDICES

APPENDIX A – LOCATION/SITE PLAN



Figure APPENDIX A-1: Location plan showing the Frankton Arm of Lake Wakatipu | Whakātīpu-Wai-Māori, with Kelvin Heights along its southern shoreline (Source: [arcgis.com](https://www.arcgis.com)³⁴).

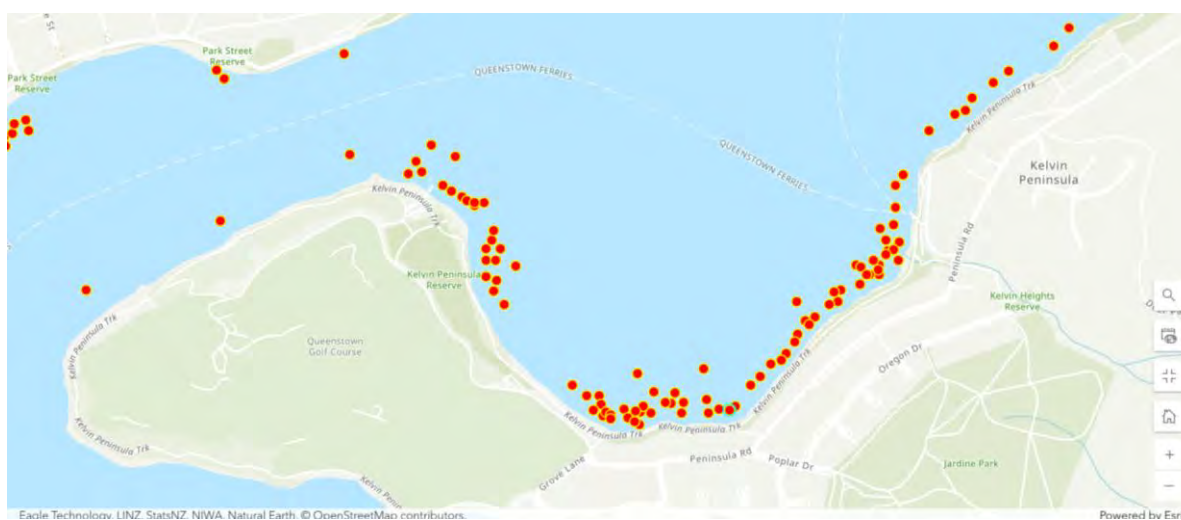


Figure APPENDIX A-2: Topographic (Vector) basemap showing the Frankton Arm of Lake Wakatipu | Whakātīpu-Wai-Māori, focusing on Kelvin Heights along its southern shoreline. The Survey Point detail shows moorings (from mooring inspections) as red dots. Mooring #53 is the red dot with blue outline. The Kelvin Peninsula Track is labelled. (Source: [arcgis.com](https://www.arcgis.com)³⁵).

³⁴ <https://www.arcgis.com/apps/mapviewer/index.html>.

³⁵ <https://www.arcgis.com/apps/mapviewer/index.html>. NZ Topographic (Vector) basemap. 'Moorings Inspection - Wakatipu_stakeholder' Feature layer (Item updated 1 May 2020).

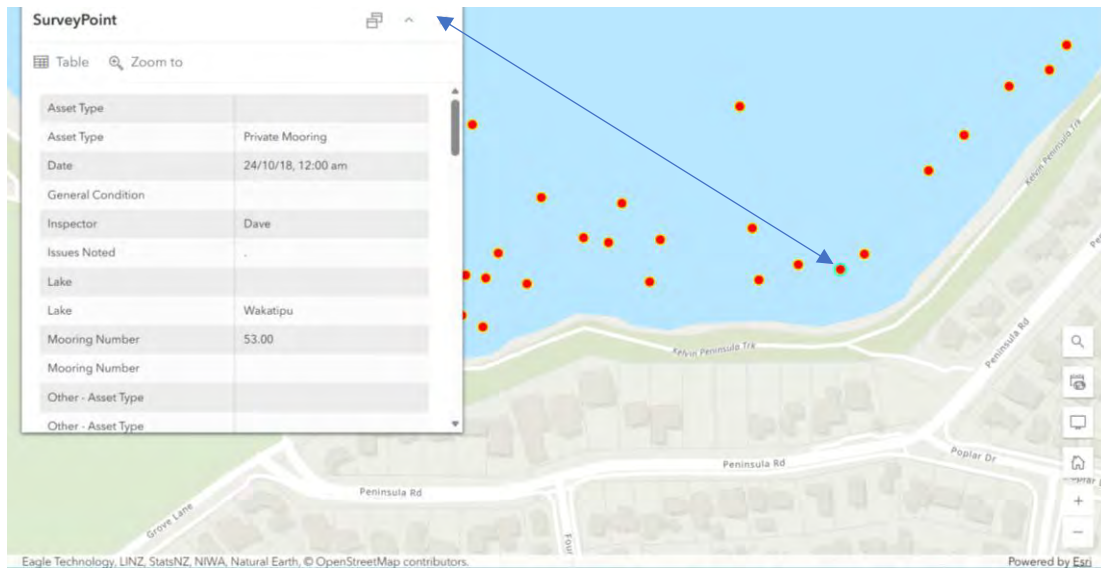


Figure APPENDIX A-3: The location of mooring #53 (red dot with blue outline) on a NZ Topographic (Vector) basemap (Source: arcgis.com³⁶).

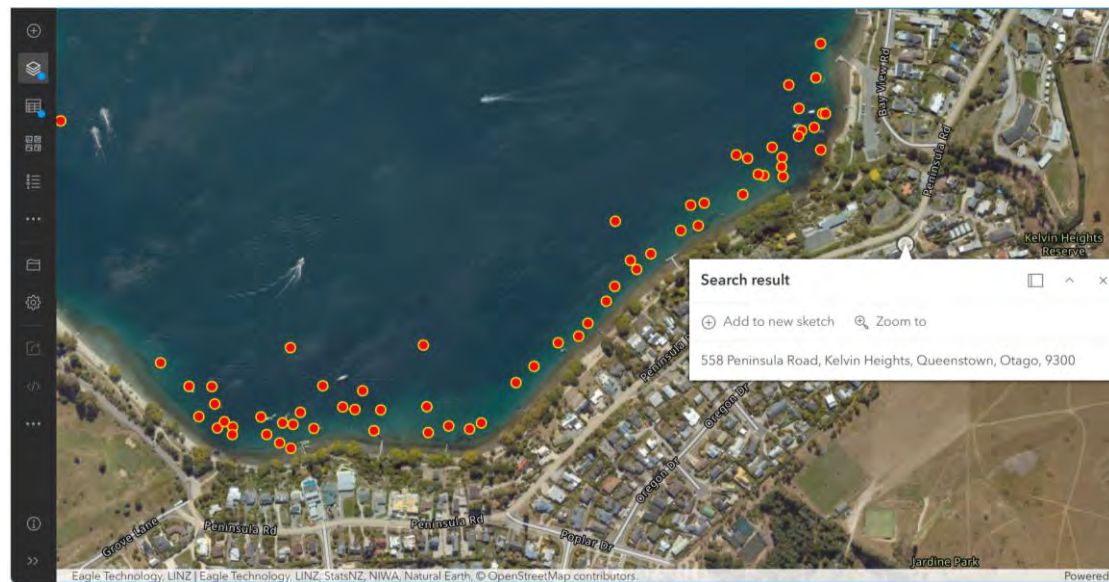


Figure APPENDIX A-4: The location of mooring #53 on a NZ Imagery Hybrid basemap (compare with Figure APPENDIX A-3 above and Figure APPENDIX A-5 overpage). Mooring #53 is located to the southwest of the Applicant's property, being 558 Peninsula Road, Kelvin Heights (Source: arcgis.com).

³⁶ As above.

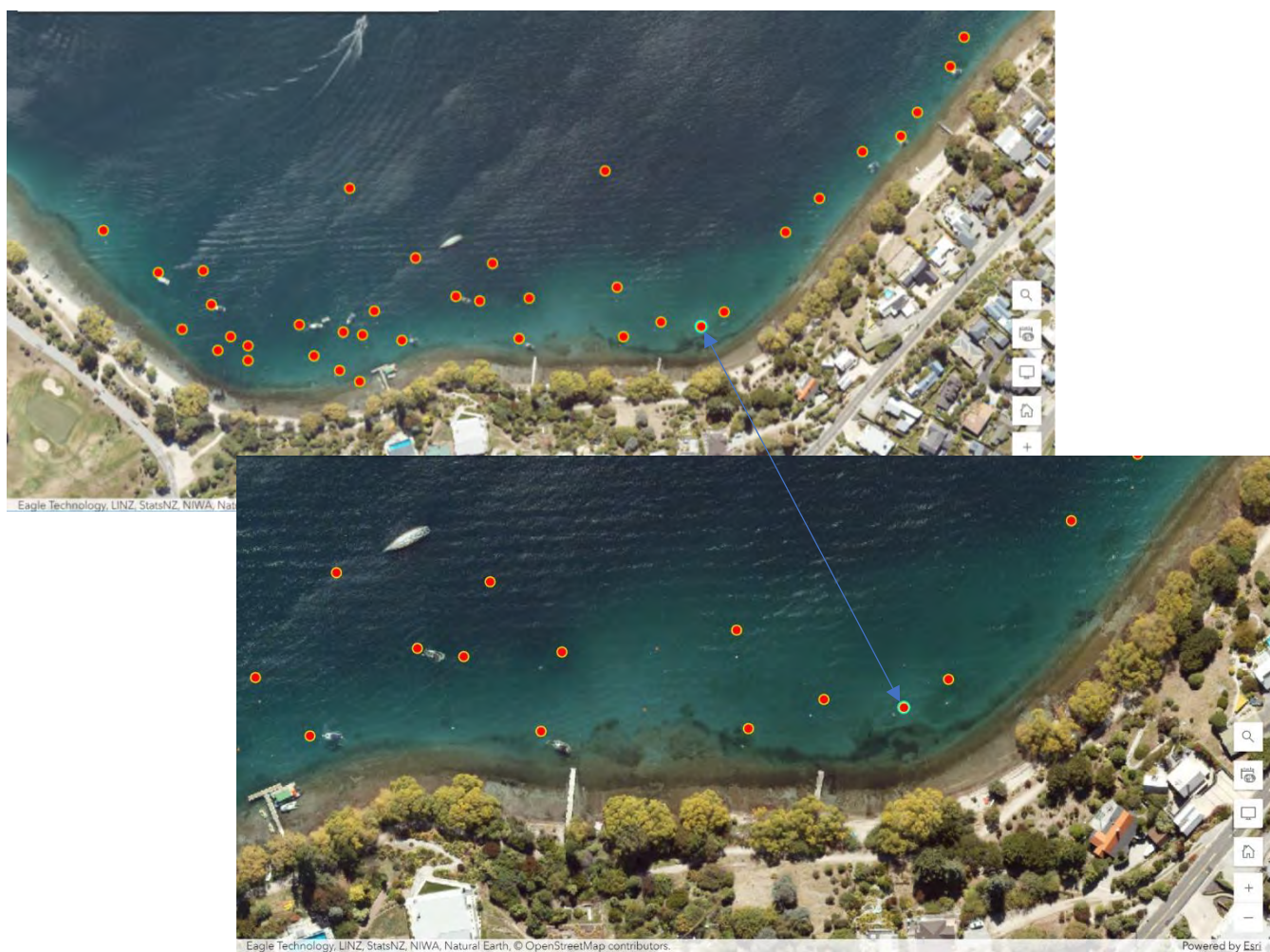


Figure APPENDIX A-5: The location of mooring #53 (red dot with blue outline) on a QLDC Aerial Imagery basemap (Source: Arcgis.com).

**APPENDIX B – RECORD OF TITLE FOR THE APPLICANT’S PROPERTY WITH WHICH MOORING
#53 IS ASSOCIATED**

Record of Title for 558 Peninsula Road, Kelvin Heights



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




 R.W. Muir
 Registrar-General
 of Land

Identifier **325221**
Land Registration District **Otago**
Date Issued 06 December 2006

Prior References
 OT9C/1352

Estate Fee Simple
Area 797 square metres more or less
Legal Description Lot 6 Deposited Plan 11504
Registered Owners
 Blair Robert Davies and Fiona Suzan Davies

Interests

Subject to Council's condition under Section 40 Counties Amendment Act 1961 endorsed on DP 12093

Land Covenant in Deed 318705

Subject to a right of way, right to convey water, drain water, convey sewage, erect power & other poles, lay underground wires and convey all communications & power over part coloured yellow DP 12093 specified in Easement Certificate 370980 - 28.5.1971 at 12:23 pm

Appurtenant hereto are rights of way, rights to convey water, drain water, convey sewage, erect power & other poles, lay underground wires and convey all communications & power specified in Easement Certificate 370980 - 28.5.1971 at 12:23 pm

Appurtenant hereto are rights of way specified in Easement Certificate 486094 - 10.10.1977 at 10:25 am
 8739345.2 Mortgage to Southland Building Society - 15.4.2011 at 3:04 pm

Title Diagram 325221

Cpy - 01/01.Pgs - 001.22/12/06.07:06



DocID 110822235

PENINSULA ROAD

6

797 m²

11.45

5.99

44.20

41.04

21.12

**APPENDIX C – MOORING INSPECTION REPORT BY MR GARRY WRIGHT OF WRIGHT
BUILDING AND DIVING SERVICES LTD**

Swing mooring inspection & Information form

Please complete all details below, if an incomplete form is submitted this may be returned to you if any information shown below is missing or has been incorrectly entered, please take time to make sure all details are accurate and that all areas have been fully completed.

Please Print All Details Clearly

Owner / Contact Person Details – (Mooring Owner To Complete)

Mooring Location (Lake): Wakatipu

Mooring Permit #: **53**

Mooring Owners Name: Blair Davies

Mooring Owners Address: **558 Peninsula Rd.**

Mooring Owners Postal Address (if different): **42 MacMaster St Invercargill**

Mooring Owners Phone No: **0276860724**

Mooring Owners Email Address: **blair.davies@xtra.co.nz**

Emergency contact Number: **0276860724**

Details of Primary Vessel Using Mooring – (Mooring Inspector/owner To Complete)

Name of vessel using mooring: **Priority**

Vessel MNZ Registration Number: Vessel Identification:

Vessel Type: Commercial Powered Craft ☐ Recreational Powered Craft ☒ Yacht ☐ Other ☐

If "Other" please outline type of vessel : _____

Length of Vessel: approx. **6.5m** Weight of Vessel: approx. **2 tone**

Vessel Colour(s): **white + Red**

Does the vessel have a mooring number clearly visible from outside of the vessel? **No**

Details of Mooring – (Mooring Inspector To Complete)

GPS Position of mooring: (WGS84 Decimal Degrees):

LAT: _____

LON: _____

IS THIS A CONFIRMED TRUE BLOCK LOCATION?: _____

Inspection Date: **27/01/2024** Water Depth at location at time of inspection: **3.4m**

Calculated total swing radius of mooring at lowest lake level: **9m**

Lake level at time of inspection **310.077m**

What is the estimated life expectancy of the mooring prior to upgrades/replacements being needed? **Current**

Has been upgraded with this inspection: **No**

Was vessel on mooring at time of inspection: **No**

Swing mooring inspection & Information form

Please complete all details below, if an incomplete form is submitted this may be returned to you if any information shown below is missing or has been incorrectly entered, please take time to make sure all details are accurate and that all areas have been fully completed.

Please Print All Details Clearly

Owner / Contact Person Details – (Mooring Owner To Complete)

Mooring Location (Lake): Wakatipu

Mooring Permit #: **53**

Mooring Owners Name: Blair Davies

Mooring Owners Address:

Mooring Owners Postal Address [\(if different\)](#):

Mooring Owners Phone No:

[Mooring Owners Email Address:](#)

Emergency contact Number:

Details of Primary Vessel Using Mooring – (Mooring Inspector/owner To Complete)

Name of vessel using mooring:

Vessel MNZ Registration Number: Vessel Identification:

Vessel Type: Commercial Powered Craft ☐ Recreational Powered Craft ☐ Yacht ☐ Other ☐

If "Other" please outline type of vessel : _____

Length of Vessel: approx.

Weight of Vessel: approx.

Vessel Colour(s):

Does the vessel have a mooring number clearly visible from outside of the vessel?

Details of Mooring – (Mooring Inspector To Complete)

GPS Position of mooring: (WGS84 Decimal Degrees):

LAT: **45*02' 41.17 S**

LON: **168*41' 07.04 E**

IS THIS A CONFIRMED TRUE BLOCK LOCATION?: **Yes**

Inspection Date: **23/01/2026**

Water Depth at location at time of inspection: **4.4m**

Calculated total swing radius of mooring at lowest lake level: **9m**

Lake level at time of inspection 310.077m

What is the estimated life expectancy of the mooring prior to upgrades/replacements being needed? **Concrete Block is permanent (approx. 50 years ?) Block attachment could last 25 years? Chains and components will have to be inspected every 2 years. See condition of parts at time of this inspection further on in report**

Has been upgraded with this inspection: **No**

Was vessel on mooring at time of inspection: **No**

Checklist – (Mooring Inspector To Complete)

Note: If non-traditional mooring system is in use and this table is not fit for purpose,

	Checked Y/N	COMPONENT	DETAILS		Condition (% & notes)	Exist ing	Replaced
TO P SE CTI ON	✓	Floats	Numbered: Yes	Type: A4 Pink	Good	✓	
			Colour: Yellow	Type: small buoy with handle	Good		
	✓	Shackle(s)	Number: 1st Diameter: 16mm std	Moused: Y	Condition: Good	✓	
	✓	Shackle(s)	Number: N/A Diameter:	Moused:	Condition:		
	✓	Chain	Length: No top chain due to shallow water	Diameter: Min D :	Condition		
MI DD LE /RI SE R/R IDE	✓	Shackle(s)	Number: N/a Diameter:	Moused:	Condition		
	✓	Shackle(s)	Number:N/a Diameter:	Moused:	Condition		
	✓	Riser/Ride/Mid dle chain	Length: 4.5m	D: 13mm Min D: 12mm	Condition: Good	✓	
	✓	Shackle(s)	Number: 2 nd Diameter: 13mm tested	Moused: Y	Condition Good	✓	
	✓	Swivel	Diameter: 16mm Stainless steel		Condition Good	✓	
	✓	Shackle(s)	Number: 3rd Diameter: 16mm tested	Moused: Y	Condition Good	✓	
BO TT OM	✓	Ground chain	Length: 5m	D: 20mm Min D: 20mm	Condition Good	✓	
	✓	Block Shackle	Diameter: 16mm tested	Moused: Y	Condition Good	✓	
	✓	Block Ring	Diameter: 32mm Rebar cast in Concrete		Good	✓	
	✓	Block(s)	Is block visible?: Y	Weight (dry) est : 1050kg	Good	✓	
			Dimensions:1m x 1m x .5m	Type: Concrete			

details and observations can be provided on a separate page.

Inspectors Observations

Has Block Shifted or become buried? **No**

Inspectors Further Comments:

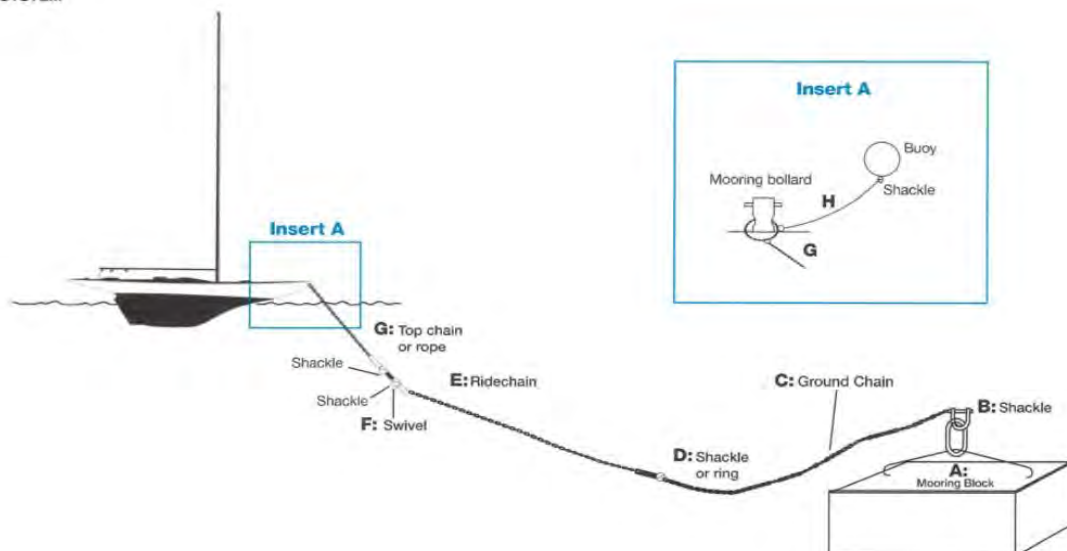
Boat attachment is a 1.5m rope strop 30mm with S/S thimble and 16mm S/S shackle and .5m of 13mm chain.

Mooring Diagram – (Mooring Inspector To Complete)

Insert Diagram of complete mooring showing each section and current average diameters here:

As per table above

FIGURE 1
MOORING SYSTEM



Pictures – (Mooring Inspector To Complete)

Insert Pictures of mooring components here, please include updated photo of vessel intending to be moored on this morning if available:

This picture shows standard mooring components used on most standard moorings but can vary



Mooring 53



Declaration – (Mooring Inspector To Complete)

This is to certify that I have completed a visual inspection ONLY to the above mooring and that I deem it to be fit for purpose, and that the information supplied above is true and correct at the time of inspection.

Anything above the waterline is the owners responsibility to inspect, maintain and repair/replace.

Company Undertaking inspection -

Company undertaking Inspection: ___Wright Building and Diving Services Ltd_____

Company physical address: ___10 Elizabeth Place, Kelvin Heights, Queenstown_____

Company Postal Address: ___a/a_____

Name of person completing inspection: ___Garry Wright_____

Signature of person completing inspection: _____



Date: ___23/01/2026_____.

Harbourmasters Document Review – (To Be Completed By Harbourmaster)

Document Reviewed on: (Inset Date): _____

Document Reviewed by: _____

Harbourmaster Comments:

Harbourmaster Signoff

Name: _____

Signature: _____

Date: _____

Part 2: To be used if this document is supporting a resource consent application.

Resource Consent Application considerations

Will the system be upgraded?

Will upgraded system differ from current system? (if yes, please detail, please include implications to swing radius)

Will block be replaced?

Will existing Block be removed?

Vessel Length:

Vessel length Note: In assessing the location of a swing mooring the Harbourmaster's Office undertakes an assessment that ensures moorings are spaced at a suitable distance apart to minimise any possible conflicts between moored vessels. Vessel length, mooring system design, and depth range information is used to ensure sufficient swing room is available and thus mitigate possible damage to vessels. Resource Consents will specify the vessel length allowable for the individual mooring. Due to the congested nature of some areas within our lakes, gaining or altering resource consent to accommodate larger vessels may not be viable. We all want vessels to be securely moored and remain un-damaged.

APPENDIX D – COPY OF THE APPLICANT’S CURRENT MOORING PERMIT



MOORING PERMIT

Issued under the Navigation Safety Bylaw 2025

Mooring Number: 53

Description of mooring: Swing Mooring

Name to whom permit is granted: Blair & Fiona Davies

Waterway: Lake Wakatipu

Position of mooring: Longitude 168.685444

Status: Unconsented

Latitude -45.044781

Date of issue: 01 July 2025

Expiry of permit: 30 June 2026

Signed for and on behalf of Queenstown Lakes District Council:

Duty of Permittee:

Please be advised that if at any time during the term of this permit, the mooring to which this permit refers to is sold or transferred, please contact Council: property@qldc.govt.nz or Queenstown: 03 441 0499 or Wanaka: 03 443 0024

Conditions of permit

The terms and conditions on which this mooring permit is granted include, but are not limited to the following:

- (1) The mooring must remain in the "position of mooring" described within the permit;
 - a. the design, specifications and maintenance of the mooring must comply with any guidelines issued by the Council;
 - b. the permit holder must mark the location of the mooring with a buoy or float that displays the permit number;
- (2) The permit holder must pay to the Council all permit renewal costs as specified in the Navigation Safety Bylaw 2025.

Maintenance and construction requirements

- (1) The owner of a swing mooring or a pile mooring must maintain his or her mooring in a proper state of condition and repair and must comply with any guidelines adopted by Council.
- (2) A mooring owner may carry out maintenance after removing the mooring from the water, provided the inspection fee has been paid and arrangements are made by the mooring owner for inspection of the mooring by suitably qualified person and the payment of any permit fee prior to the mooring being reinstated.
- (3) The Council or the Harbourmaster may require the mooring owner to remove the mooring in a specified time frame if:
 - a. the permit has been cancelled, or
 - b. where the mooring permit fee is unpaid for a period greater than 2 months from the due date,
 - c. the mooring does not comply with the Resource Management Act 1991.
- (4) All costs associated with the inspection, maintenance and replacement of moorings or mooring components must be borne by the mooring permit holder.

Liability of the Council

- (1) Permit holders shall take all care to ensure that the mooring is used in a lawful manner and use moorings at their own risk.
 - a. The Harbourmaster and Council are not liable for: Any damage to a craft whether the damage is caused by a third party, a natural disaster event, natural processes or by any other cause;
 - b. Any damage to a craft which has not been securely moored;
 - c. Any damage to a craft which results from any actions taken by the Harbourmaster to secure a craft, in the event of a storm or other adverse event;
 - d. Any actions or omissions of the Harbour master or any other officer of the Council in the performance of any duties, functions or powers in respect of this bylaw.

Transfer of permit

- (1) The permit may be transferred where application is made and is accompanied by the payment of the application and processing fees along with a completed transfer request form by post to Queenstown Lakes District Council, Private Bag 50072, Queenstown 9348 or by email to property@qldc.govt.nz

Surrender of permit

- (1) If no longer required, the permit may be surrendered by returning it to the Council together with confirmation that the mooring has been removed.

APPENDIX 2 – NAVIGATIONAL SAFETY REPORT - M53

NAVIGATIONAL SAFETY COMMENTS – RESOURCE CONSENT APPLICATION

TO: Rebecca Holden

FROM: Ricky Campbell, QLDC Harbourmaster

DATE: 27th May 2026

APPLICATION DETAILS	
REFERENCE	RM260542
APPLICANT	B Davies
APPLICATION TYPE & DESCRIPTION	Applicant to lawfully establish an existing swing mooring (M53) on the southern shoreline of the Frankton Arm, Lake Wakatipu.
ADDRESS	Bed & Surface of Lake Wakatipu within the Frankton Arm, Kelvin Groove.
ZONE	Rural (PDP) RURAL General (ODP)
SITE ADDRESS	N/A
ACTIVITY STATUS	Restricted discretionary
VALUATION NUMBER	N/A

REQUEST DETAILS	
FROM (PROCESSING PLANNER)	Rebecca Holden
DATE OF REQUEST	20.05.2026
WORKING DAYS AT TIME OF REQUEST	0
FINAL DATE FOR FURTHER INFORMATION REQUESTS	27.05.2026
DATE REPORT REQUIRED BY:	ASAP
INDICATION OF NOTIFICATION	Limited Notification
TYPE OF COMMENT REQUIRED	Memo
REQUESTED AREAS OF COMMENT	Navigational safety matters including: a) Any navigational safety concerns (e.g. swing radius clash, depth of lake) b) Whether the mooring design is fit for purpose and structurally sound.

MOORING LOCATION DIAGRAM – M53

(-45° 02' 41.17 S 168° 41' 07.04 E) (-45.044769 S 168.685288 E)



1.0 OVERVIEW

Brief Description of Proposal	Mr Davies has made a Resource Consent application in respect of their existing mooring (M53) located within Kelvin Groove, Lake Wakatipu. The purpose of this resource Consent application is to legalise an existing mooring located at the above location. Mr Davies has had Garry Wright from Wright Building and Dive Services complete a subsurface mooring inspection survey on the identified mooring M53 on 23.01.2026, Garry Wright is an experienced diver and based on this I accept his report as being accurate and complete.
History	RM:260542
Waterbodies	Location: Kelvin Groove, Lake Wakatipu

2.0 SAFETY MANAGEMENT

Safety Management comments	A Resource Consent application in regard to the mooring M53 was filed with the Queenstown Lakes District Council on 20.05.2026. As part of this process, the applicant submits a mooring survey document from a recent mooring inspection carried out on the mooring to show it is fit for purpose and meets the requirements under the Navigational Safety Bylaw 2025, after having the applicant supplied mooring survey document forwarded to myself for a desktop review and comment. Mooring Swing Radius Using the coordinates supplied by Garry Wright within the mooring survey document, I note that there are swing radius conflicts present with surrounding moorings M54 & M381, when considering the swing radius outlined within the supplied mooring survey document, made up of a mooring swing radius of 9.0 metres and a vessel with a length of up to 9.0 metres totalling 18.0 metres. Due to the above conflict with the above surrounding moorings, I am unable to support this application at this time until the conflict has been addressed, or a plan put forward to show there would no longer be a conflict present.
Safety Operation Plan (SOP) comments	Nil Required.
Maritime comment obtained?	No Comment Required from Maritime NZ

3.0 LEGISLATION

- Maritime Transport Act 1994
- Navigation Safety Bylaw 2025

4.0 RECOMMENDED CONDITIONS/ADVICE NOTES

Please see notes above.

5.0 FINAL COMMENT

Prepared by: Ricky Campbell
Harbourmaster
Queenstown Lakes District Council

Kind Regards

Ricky

Ricky Campbell

District Harbourmaster
Queenstown Lakes District Council

DDI: 0800 2262851 (24/7)

Mob: 021 2262851 (24/7)

PO Box 6 Queenstown 9300,
New Zealand

E mail: ricky@cougargroup.co.nz

TechnologyOne ECM Document Summary

Printed On 03-Aug-2026

Class	Description	Doc Set Id / Note Id	Version	Date
PUB_ACC	Application form - mooring #53 - limited notification (signed dated 11May26)	9587960	1	11-May-2026
PUB_ACC	Assessment of Environmental Effects (AEE) - Mooring 53 - Blair Davies (w Appendices) (Lodge 11May26)	9587959	1	11-May-2026
PUB_ACC	Mooring 53 - owner and vessel details_mooring permit (via Blair 29Apr26)	9608064	1	20-May-2026
PUB_ACC	Blair.Davies.53.23.01.2026.Inspection report	9608065	1	20-May-2026
PUB_ACC	APA - Supporting information for written approval consideration (7May26)	9608066	1	20-May-2026
PUB_ACC	Mooring 53 - QLDC APA form	9608067	1	20-May-2026
PUB_ACC	APA - Cover letter - HarbourMaster - Mooring 53 (20May26)	9608068	1	20-May-2026
PUB_ACC	LINZ APA	9620462	1	26-May-2026



APPLICATION FOR RESOURCE CONSENT FOR A WATER-BASED ACTIVITY



Under Section 88 of the Resource Management Act 1991 (Form 9)

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

This form provides contact information and details of your application. If your form does not provide the required information it will be returned to you to complete. Until we receive a completed form and payment of the initial fee, your application will not be accepted for processing.

APPLICANT //

- Must be a person or legal entity (limited liability company or trust).
- Full names of all trustees required.
- The applicant name(s) will be the consent holder(s) responsible for the consent and any associated costs.

*Applicant's Full Name / Company / Trust: **Blair Robert Davies**

(Name Decision is to be issued in)

*All trustee names (if applicable):

Contact Name if Company or Trust:

*Postal Address: **42 MacMaster Street, Richmond, Invercargill**

*Contact details supplied must be for the applicant and not for an agent acting on their behalf and must include a valid postal address

*Post code:
9810

*Email Address: **blair.davies@xtra.co.nz**

*Phone Numbers: Day **027 686 0724**

Mobile: **027 686 0724**

The Applicant is:



Owner



Lessee



Occupier



Other - Please Specify



Our preferred methods of corresponding with you are by email and phone.
The decision will be sent to the Correspondence Details via email unless requested otherwise.

CORRESPONDENCE DETAILS // If different than above – E.g. consultant or agent

Name & Company: **Burnetta Van Stipriaan - Southern Water and Land Planning**

Phone Numbers: Day **021 180 7845**

Mobile: **021 180 7845**

Email Address: **burnetta@slwp.co.nz**

INVOICING DETAILS //

Invoices will be made out to the applicant but can be sent to another party if paying on the applicant's behalf.
For more information regarding payment please refer to the Fees Information section of this form.

*Please select a preference for who should receive any invoices and how they would like to receive them.

Applicant:



Agent:



Other, please specify:

Email:



Post:



*Attention: **Blair Davies**

*Postal Address: **42 MacMaster Street, Richmond, Invercargill**

*Please provide an email AND full postal address.

*Post code:
9810

*Email: **blair.davies@xtra.co.nz**



DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

If it is assessed that your consent requires development contributions any invoices and correspondence relating to these will be sent via email. Invoices will be sent to the email address provided above unless an alternative address is provided below. Invoices will be made out to the applicant/owner but can be sent to another party if paying on the applicant's behalf. For more information please see appendix 2 at the end of this form.

Please select a preference for who should receive any invoices.

Details are the same as above



Applicant:

☐☐

Other, please specify:

*Attention:

*Email:

[Click here for further information and our estimate request form](#)



DETAILS OF SITE

Address / Location to which this application relates: Provide the name of the waterbody (i.e. lake or river) where the proposed works/activity will take place. Include proximity to any well-known landmark and land address for any associated land based activity/ landing points:

Bed and surface of Lake Wakātipu|Whakātipu-Wai-Māori.

Mooring # 53: swing mooring, associated with (to the southwest of) 558 Peninsula Road, Kelvin Heights, 9300

GPS LOCATION OF PROPOSED WORKS //

(Note: this must be supplied for all mooring and jetty applications, and any other waterbased activity that does not have an associated land parcel attached to the operation)

GPS co-ordinates: Note: you must specify which GPS co-ordinate system* was used to identify the GPS location - Decimal Degrees (DD) or Degrees Minutes Seconds (DMS) (*The Harbourmaster prefers the Decimal Degrees (DD) co-ordinate systems, but either can be used)

45° 02' 41.17 S, 168° 41' 07.04 E (WGS84 Decimal Degrees)

For any land based areas:

Legal Description: The bed of Lake Wakātipu|Whakātipu-Wai-Māori is Crown land.

Owners/Occupiers: The bed of Lake Wakātipu|Whakātipu-Wai-Māori is Crown land managed by LINZ.

District Plan Zone: ODP: Rural General Zone, PDP: Water - Rural Zone

Permit Number: If you have a current permit for your activity from QLDC (i.e. an existing mooring permit), specify your permit number and the name of the person / entity that the permit is issued to

Mooring Permit for Mooring Number 53 granted to Blair & Fiona Davies. Issued 01 July 2025.

Other Users: Identify other occupiers/users in particular consent holders, of the relevant waterbody

Commercial and recreational surface water users.



SITE VISIT REQUIREMENTS// Should a Council officer need to undertake a site visit please answer the questions below

Is there a gate or security system restricting access by council?

YES

☐

NO

☒

Is there a dog on the property?

YES

☐

NO

☒

Are there any other hazards or entry restrictions that council staff need to be aware of?

If 'yes' please provide information below

YES

☐

NO

☒

PRE-APPLICATION MEETING

Have you had a pre-application meeting with QLDC regarding this proposal?

☐

Yes

☒

No

☐

Copy of minutes attached

If 'yes', provide the reference number:



CONSENT(S) APPLIED FOR

78

☐
☐
☐
☐

Land use consent to establish and operate a water based activity comprising:
Erect or place a new structure
Alter / extend an existing structure
Replace / demolish an existing structure

Land Use Consent
Resource consent is sought to legalise an existing swing mooring (#53)

☐

Transfer of consent(s):
(Please provide a letter from both the current & new consent holders authorizing this request)



BRIEF DESCRIPTION OF THE PROPOSAL

Consent is sought to undertake a water-based activity on **Lake Wakatipu**

(Lake / River)

The activity will operate **365 days a year**

(dates / duration)

to provide for **the mooring of a recreational vessel**

(number persons)

Brief description of activity:

Resource consent is sought to legalise an existing swing mooring (#53) located in the bed of Lake Wakatipu [Whakātipu-Wai-Māori at Frankton Arm.

Limited notification - as in the attached application document, the Applicant requests limited notification to iwi (both Aukaha and Te Ao Marama Incorporated as the representatives of Kāi Tahu).

Further Description to be provided in an assessment attached. See below.



OTHER CONSENTS

Are any additional consent(s) required that have been applied for separately?

- ☒ Otago Regional Council — Use of bed of lake or river (note if has/has not been applied for):

☒

Yes

☐

No

☐

N/A

- ☒ Are you seeking consent from both QLDC and ORC in this one application (i.e. for a jetty or mooring):

☒

Yes

☐

No

☐

N/A



APPLICATION NOTIFICATION

Are you requesting public notification for the application?

☒

Yes

☒

No

Please note there is an additional fee payable for notification. Please refer to Fees schedule



INFORMATION REQUIRED TO BE SUBMITTED //

Attach to this form any information required (see below & appendix 1).

To be accepted for processing, your application must include the following information where relevant to your proposed activity:

☒

A site plan or map showing the locality and extent of the activity and the proximity of any nearby activities (e.g. other moorings and the extent of their swing in relation to your proposed mooring)

☐

Demonstrate compliance with the most up to date QLDC Swing Moorings Booklet (if relevant)

☐

Details of any associated land based buildings or structures, parking areas.
Details of any signage & locations.

☐

A Safety Management Plan

☐

Noise report (if relevant)

☐

Written approval of every person who may be adversely affected by granting of consent (s95E)

Consultation required with:
Aukaha
Te Ao Marama INC
Fish & Game New Zealand

Consultation required where relevant:
Guardians of Lake Wanaka
Guardians of Lake Hawea
Department of Conservation
Land Information New Zealand

☒

An Assessment of Effects (AEE).

An AEE is a written document outlining how the potential effects of the activity have been considered: safety, noise, traffic and parking, signage and impact on the waterbody including other users. Address the relevant provisions of the District Plan and affected parties including who has or has not provided written approval. See [Appendix 1](#) for more detail.



We prefer to receive applications electronically – see Appendix 3 [Naming of Documents Guide](#)

Please ensure documents are scanned at a minimum resolution of 300 dpi.

Each document should be no greater than 10mb



The information that you have provided on this form is public information and is gathered for a lawful purpose to ensure the efficient functioning of Council's duties, powers and functions under the Resource Management Act 1991 and the Building Act 2004. The information will enable Council to adequately assess your application for Resource Consent in accordance with the statutory processes under the Resource Management Act 1991. The information may also be collected for and disclosed to, the Ministry for the Environment and Queenstown Lakes District Council, for the purpose of statistical analysis, so that the Agencies can efficiently undertake their statutory duties. The information will be stored on a public register (Council's eDocs website) and is available to the public in accordance with the terms and conditions set out on the eDocs website.

While available to the public through the eDocs portal, any disclosure of the information on the website must be in accordance with the Local Government Official Information and Meetings Act 1987 and must not be used for a purpose other than for the reason it was collected. Members of the public should not share or distribute this information for any purpose that is not a lawful purpose set out under relevant legislation.

Any unauthorised use, disclosure, or distribution of this information by third parties may constitute a breach of the Privacy Principles set out under the Privacy Act 2020 and may be reported to the Privacy Commissioner which could result in legal sanctions.



FEES INFORMATION

Section 36 of the Resource Management Act 1991 deals with administrative charges and allows a local authority to levy charges that relate to, but are not limited to, carrying out its functions in relation to receiving, processing of applications under this Act.

An invoice for an initial fee will be sent out typically within 1-2 business days of receipt of correctly completed application. Your application will not be processed until this invoice is paid. [When making payment please use the application reference.](#)

[Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.](#)

If the initial fee charged is insufficient to cover the actual and reasonable costs of work undertaken on the application you will be required to pay any additional amounts. These will be invoiced monthly and are payable by the 20th of the month.

If your application is notified or requires a hearing you will be required to pay a notification deposit and/or a hearing deposit. An applicant may not offset any previous invoices issued against such deposits. If unpaid, the processing of an application, provision of a service, or performance of a function will be suspended until the sum is paid in full.

Section 357B of the Resource Management Act provides a right of objection in respect of additional charges. An objection must be submitted using the correct application form and required documents. This must be lodged within 15 working days of the receipt of the final invoice.

LIABILITY FOR PAYMENT – Please note that by signing and lodging this application form you are acknowledging that the details in the invoicing section are responsible for payment of invoices and in addition will be liable to pay all costs and expenses of debt recovery and/or legal costs incurred by QLDC related to the enforcement of any debt.

ADMINISTRATION FEE - The initial fee includes an administration lodgement fee for staff time spent setting up your application and generating your invoice.

MONITORING FEES – Please also note that the initial fee paid at lodgement includes an initial monitoring fee as per our Charges and Fees for Land Use Consent applications as once Resource Consent is approved you will be required to meet the costs of monitoring any conditions applying to the consent, pursuant to Section 35 of the Resource Management Act 1991. This initial monitoring fee also applies to designation related applications. For all application types the monitoring team may still charge an hourly rate if monitoring is deemed required.

DEVELOPMENT CONTRIBUTIONS – Your development may also incur development contributions under the Local Government Act 2002. You will be liable for payment of any such contributions.

A list of Charges and Fees is available on our website.



PAYMENT // An initial fee is payable upon receiving the initial fee invoice following the lodgment of this application.

80

Please wait for the initial fee invoice to be issued and and [use the application reference on the invoice for your payment.](#)

This fee **MUST** be paid with the correct application reference in order for the processing to begin.

Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.

Amount to Pay

\$2668 - Land Use Discretionary (overall consent status)

APPLICATION & DECLARATION

The Council relies on the information contained in this application being complete and accurate. The Applicant must take all reasonable steps to ensure that it is complete and accurate and accepts responsibility for information in this application being so.



If lodging this application as **the Applicant:**

I/we hereby represent and warrant that I am/we are aware of all of my/our obligations arising under this application including, in particular but without limitation, my/our obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.

OR:



If lodging this application as **agent of the Applicant:**

I/we hereby represent and warrant that I am/we are authorised to act as agent of the Applicant in respect of the completion and lodging of this application and that the Applicant/ Agent whose details are in the invoicing section is aware of all of his/her/its obligations arising under this application including, in particular but without limitation, his/her/its obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.



PLEASE TICK

I hereby apply for the resource consent(s) for the Proposal described above and I certify that, to the best of my knowledge and belief, the information given in this application is complete and accurate.

Signed (by or as authorised agent of the Applicant) **

Full name of person lodging this form **Burnetta Van Stipriaan - Environmental Consultant (Planner), SLWP**

Firm/Company **Southern Land and Water Planning**

Dated **11 May 2026**

**If this form is being completed on-line you will not be able, or required, to sign this form and the on-line lodgement will be treated as confirmation of your acknowledgement and acceptance of the above responsibilities and liabilities and that you have made the above representations, warranties and certification.

Section 2 of the District Plan provides additional information on the information that should be submitted with a land use or subdivision consent.

The RMA (Fourth Schedule to the Act) requires the following:

1 INFORMATION MUST BE SPECIFIED IN SUFFICIENT DETAIL

- Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

2 INFORMATION REQUIRED IN ALL APPLICATIONS

- (1) An application for a resource consent for an activity (the activity) must include the following:

- (a) a description of the activity;
- (b) a description of the site at which the activity is to occur;
- (c) the full name and address of each owner or occupier of the site;
- (d) a description of any other activities that are part of the proposal to which the application relates;
- (e) a description of any other resource consents required for the proposal to which the application relates;

Information provided within the Form above

- (f) an assessment of the activity against the matters set out in Part 2;
- (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).

- (2) The assessment under subclause (1)(g) must include an assessment of the activity against—

- (a) any relevant objectives, policies, or rules in a document; and
- (b) any relevant requirements, conditions, or permissions in any rules in a document; and
- (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).

Include in an attached Assessment of Effects (see Clauses 6 & 7 below)

- (3) An application must also include an assessment of the activity's effects on the environment that—

- (a) includes the information required by clause 6; and
- (b) addresses the matters specified in clause 7; and
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

- An application must also include any of the following that apply:
 - (a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1));
 - (b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A));

Clause 6: Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
 - (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity;
 - (b) an assessment of the actual or potential effect on the environment of the activity;
 - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use;
 - (d) if the activity includes the discharge of any contaminant, a description of—
 - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment;
 - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect;
 - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted;
 - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved;
 - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).
- (2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.
- (3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—
 - (a) oblige the applicant to consult any person; or
 - (b) create any ground for expecting that the applicant will consult any person.

CLAUSE 7: MATTERS THAT MUST BE ADDRESSED BY ASSESSMENT OF ENVIRONMENTAL EFFECTS

- (1) An assessment of the activity's effects on the environment must address the following matters:
 - (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects;
 - (b) any physical effect on the locality, including any landscape and visual effects;
 - (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity;
 - (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations;
 - (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants;
 - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.
- (2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

Will your resource consent result in a Development Contribution and what is it?

- A Development Contribution can be triggered by the granting of a resource consent and is a financial charge levied on new developments. It is assessed and collected under the Local Government Act 2002. It is intended to ensure that any party, who creates additional demand on Council infrastructure, contributes to the extra cost that they impose on the community. These contributions are related to the provision of the following council services:
 - Water supply
 - Wastewater supply
 - Stormwater supply
 - Reserves, Reserve Improvements and Community Facilities
 - Transportation (also known as Rooding)

[Click here for more information on development contributions and their charges.](#)

OR Submit an Estimate request *please note administration charges will apply



While it is not essential that your documents are named the following, it would be helpful if you could title your documents for us. You may have documents that do not fit these names; therefore below is a guide of some of the documents we receive for resource consents. Please use a generic name indicating the type of document.

Application Form

Assessment of Environmental Effects (AEE)

Affected Party Approval/s

Safety Management Plan

Traffic Report

BLAIR DAVIES

EXISTING SWING MOORING
LAKE WAKATIPU | WHAKĀTIPU-WAI-MĀORI

Application for resource consents from both
the Queenstown Lakes District Council and the Otago Regional Council
to legalise existing private swing mooring #53 located on
the southern shoreline of the Frankton Arm
of Lake Wakātipu | Whakātipu-Wai-Māori

Resource Consent Application

May 2026



W: www.slwp.co.nz
E: burnetta@slwp.co.nz
P: 0211807845

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APPENDICES:

- A** Location/site plan
- B** Record of Title for applicant's property with which mooring #53 is associated
- C** Mooring Inspection Report by Mr Garry Wright of Wright Building and Diving Services Ltd
- D** Copy of the Applicant's current Mooring Permit

DOCUMENT STATUS

Version	Purpose of Document	Prepared By	Reviewer	Date
Draft v1	Internal draft	BVS	SN	1/5/26
Draft v2	Draft for client approval	BVS 4/5/26	BD	6/5/26
Final	Resource Consent	BVS	-	11/5/26

This document has been prepared by Southern Land & Water Planning Limited on the specific instructions of our Client for the limited purposes described in the document, with respect to the particular brief given to us, and it may not be relied upon for any other purpose or by any other person other than our Client without our prior written agreement. SLWP takes no duty of care to, and accepts no responsibility for, any third party who may rely upon this document or use it outside the scope for which it was prepared. All rights reserved. Use or copying of this document, in whole or in part, without the written permission of SLWP constitutes an infringement of copyright. This document, or any information contained within it, must not be assigned or provided to a third party without SLWP's prior consent.

1 INTRODUCTION

1.1 Overview/Background

This application has been prepared for and on behalf of Blair Davies (the Applicant). The Applicant is seeking land use resource consent to legalise an existing private swing mooring (mooring #53) located on the southern shoreline of the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori. The swing mooring, which is understood to predate the Resource Management Act 1991 (RMA), includes buoys (top section), shackles and chain, and a concrete block (bottom section), and is associated with 558 Peninsula Road, Kelvin Heights, Queenstown (the Applicant's property). The legal description of the Applicant's property is Lot 6 Deposited Plan 11504 held in Record of Title 325221 (**Appendix B**). A location/site plan is attached as **Appendix A**. The bed of Lake Wakātipu | Whakātipu-Wai-Māori is Crown land managed by Land Information New Zealand (LINZ).

Restricted Discretionary Activity resource consent is sought for mooring #53 under Proposed Queenstown Lakes District Plan (PDP) Rule 21.15.7 'Jetties and Moorings in the Frankton Arm'. As the Otago Regional Council (ORC) has delegated its responsibilities under Section 13(1)(a) of the Resource Management Act 1991 (RMA) to the Queenstown Lakes District Council (QLDC), a Discretionary Activity resource consent is also sought under Regional Plan: Water for Otago (Regional Plan) Rule 13.2.3.1 for the placement of a structure (i.e., mooring #53) on and over the bed of Lake Wakātipu | Whakātipu-Wai-Māori.

No other resource consents are required for the proposed activity. Structures within an identified wāhi tūpuna area are a Permitted Activity under PDP Rule 39.4.2, and the Applicant will hereafter be able to rely on PDP Rule 21.15.4¹, under which minor repairs, maintenance or alteration of the mooring, as an activity on the surface of the Lake, is a Permitted Activity, and on Regional Plan Rules 13.1.1.1², 13.3.1.1³, 13.3.1.2⁴ and 13.5.1.1⁵, under which the use, repair, maintenance, extension, alteration, replacement or reconstruction of the structure as a Permitted Activity, subject to the conditions of those rules.

The Applicant seeks land use resource consent for a duration of 35 years, in accordance with Section 123(c) of the RMA.

Table 1 on the following page provides an overview of the application.

¹ 'Minor repairs, maintenance or alterations of existing operational jetties and moorings'.

² 'The use of a structure – Permitted activities: No resource consent required'.

³ Begins "The repair or maintenance or any lawful structure..."

⁴ Begins "The extension, alteration, replacement or reconstruction of any lawful structure..."

⁵ Begins "The disturbance of the bed of any lake...and any resulting discharge or deposition of bed material associated with..."

Table 1: Overview of the application

Application details	
Applicant	Blair Davies
Applicant's Property	558 Peninsula Road, Kelvin Heights, Queenstown
Legal Description of Applicant's Property	Lot 6 Deposited Plan 11504 held in Record of Title 325221 (Appendix B)
Address (Application Site)	Bed and surface of Lake Wakātipu Whakātipu-Wai-Māori (Frankton Arm), to the southwest of 558 Peninsula Road, Kelvin Heights, Queenstown (Appendix A)
Location (GPS coordinates – WGS84 Decimal Degrees)	Bed and surface of Lake Wakātipu Whakātipu-Wai-Māori at: 45° 02' 41.17 S, 168° 41' 07.04 E (WGS84 Decimal Degrees)
Legal Description	N/A Crown land – lake bed
Site Area	N/A
Owner/s	The bed of Lake Wakātipu Whakātipu-Wai-Māori is Crown land managed by LINZ
Operative Queenstown Lakes District Plan (ODP) – Zoning	Rural General Zone
Proposed Queenstown Lakes District Plan (PDP) (Revision 15 April 2026) – Zoning	Water - Rural Zone
PDP Designations and Special Provisions (Revision 15 April 2026) – Schedule of Wāhi Tūpuna	Wāhi Tūpuna Reference Number: 33 Name: Whakātipu-Wai-Māori (Lake Wakātipu) Manawhenua Values: “Whakapapa, rakatirataka, kaitiakitaka, mana, mauri. Wāhi taoka, mahika kai, ara tawhito.” Potential threats: Includes “b. Buildings and structures, utilities” and “f. Commercial, and commercial recreational activities”.
Proposed Activity	The Applicant is seeking resource consent to legalise an existing swing mooring (#53) located in the bed of Lake Wakātipu Whakātipu-Wai-Māori at Frankton Arm to moor a single recreational vessel on the surface of Lake Whakātipu Whakātipu-Wai-Māori.
Consents Sought	Under the PDP, Restricted Discretionary Activity resource consent under Rule 21.15.7 ‘Jetties and Moorings in the Frankton Arm’, for the mooring, as an activity on the surface of the Lake ⁶ . Under the Regional Plan, Discretionary Activity resource consent under Rule 13.2.3.1 for the placement of a

⁶ There are no longer any relevant rules under the ODP, given the relevant rules under the PDP are treated as operative pursuant to RMA section 86F ‘When rules in proposed plans must be treated as operative’.

	structure on and over the bed of Lake Wakātipu Whakātipu-Wai-Māori.
Consent Term (Duration) Sought	35 years
Bundled Activity Status	Discretionary
Notification Sought	Limited notification to iwi (both Aukaha and Te Ao Marama Incorporated as the representatives of Kāi Tahu)

1.2 Scope of Environmental Documentation

This application for resource consent has been prepared in accordance with Section 88 of the Resource Management Act 1991 (RMA). This document provides an Assessment of Environmental Effects (AEE) for the proposal. The document describes the following:

- **Section 1:** Provides an overview/background of the proposed activity, sets out the scope of environmental documentation and lists the affected parties/persons with whom there has been pre-application consultation.
- **Section 2:** Provides an outline of the activity location and presents a detailed discussion on the proposed activity.
- **Section 3:** Provides a description of the regulatory framework, setting out the consent requirements and activity status.
- **Section 4:** Provides an assessment of the actual or potential environmental effects of the proposed activity and proposed measures to avoid, remedy or mitigate those effects, as required by the Fourth Schedule of the RMA and provides an assessment of the proposed activity against other matters.
- **Section 5:** Provides an assessment of the proposed activity against statutory planning considerations.
- **Section 6:** Considers alternative locations or methods and is part of the assessment of the activity's effects on the environment.
- **Section 7:** Provides a summary and conclusions.

1.3 Pre-application Consultation

1.3.1 Pre-application consultation with Queenstown Lakes District Council (QLDC)

The Applicant advises that they forwarded QLDC's 'Swing mooring inspection & Information form' completed by Mr Garry Wright of Wright Building and Diving Services Ltd, dated 23 January 2026, to QLDC on 13 February 2026, and that they received a response on 19 February 2026 that Council had filed the report. There has been no subsequent pre-application consultation with QLDC.

1.3.2 Pre-application consultation with affected persons/parties

At the time of preparing this document, pre-application consultation with affected parties/persons, for the purposes of Section 95E of the RMA, has been in the form of providing them consultation material about the proposed activity⁷. No responses have been received to date, as summarised in Table 2 below, with limited notification to iwi sought.

Table 2: Parties/persons with whom pre-application consultation about the proposed activity has been undertaken and responses (if any) received at time of preparing this document

Affected party/person	Pre-application consultation response
Aukaha	Response awaited – however the Applicant requests limited notification to iwi.
LINZ	Response awaited
Te Ao Marama Incorporated (TAMI)	Response awaited – however the Applicant requests limited notification to iwi.
QLDC Harbourmaster	Response awaited, however it is expected that the Harbour Master will provide input through the Council's resource consent processing pathway, not as an affected party.

Based on mooring #53 having existing use rights pursuant to Section 10 of the RMA (refer to Section 3.1.1 below) and Permitted Activity Rules 39.4.2 and 21.15.4 of the PDP and 13.1.1.1, 13.3.1.1, 13.3.1.2 and 13.5.1.1 of the Regional Plan (as described above and assessed below), it is considered the proposal will not adversely affect any other person or party.

Any responses obtained after lodgement of this application will be provided as they are received and in accordance with Section 104(3)(a)(ii) of the RMA, any adverse effects on these parties/persons must then be disregarded.

2 DESCRIPTION OF THE PROPOSAL

In this section, the consent background is summarised, an outline of the activity location including receiving environment provided, and a detailed discussion on the proposed activity presented.

2.1 Consent Background (Planning History)

The mooring is understood to predate the RMA. The photographs on the following page are historical images showing moorings in the area that pre-date the RMA, and show that where moorings still exist today, they have been part of this shoreline since at least 1984.

⁷ 'Supporting information for written approval consideration'.



Photo 1: Historic imagery showing the activity location, image taken 16/12/1988 (Source: Retrolens Historical Image Resource, Released Filename: CROWN_8996_I_5).

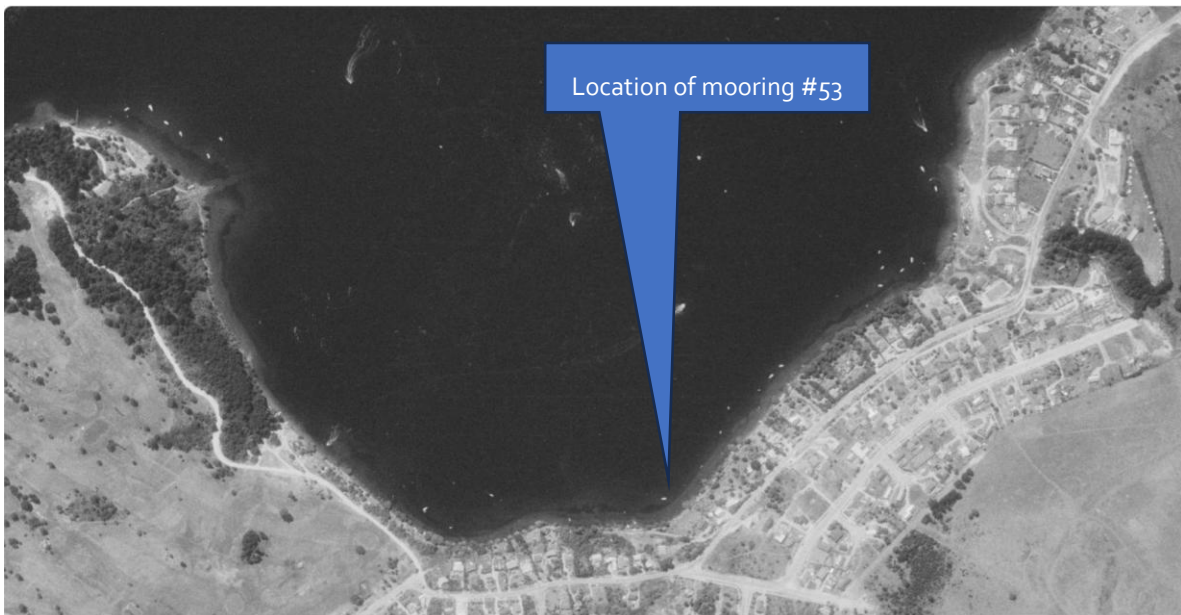


Photo 2: Historic imagery showing the activity location, image taken 31/12/1984 (Source: Retrolens Historical Image Resource, Released Filename: CROWN_8436_H_1).

2.2 Activity Location (The Site and Receiving Environment)

2.2.1 The Receiving Environment

The receiving environment is primarily comprised of Lake Wakatipu|Whakātipu-Wai-Māori, with mooring #53 located in the bed of the lake on the southern shoreline of the Frankton Arm. Whakātipu Wai Maori (Lake Wakatipu) is a Statutory Acknowledgment Area under Schedule 75 of the Ngāi Tahu Claims Settlement Act 1998. The Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Whakātipu-Wai-Māori.

The PDP (Schedule of Wāhi Tūpuna) identifies Lake Wakātipu | Whakātipu-Wai-Māori as a wāhi tupuna (reference 33) and identifies “Whakapapa, rakatirataka, kaitiakitaka, mana, mauri. [and] Wāhi taoka, mahika kai, ara tawhito” as Manawhenua values that contribute to the Lake being significant.

The Regional Plan (Schedule 1D) also identifies that Kai Tahu ascribe the following spiritual and cultural beliefs, values and uses to Whakātipu-Wai-Māori:

- Kaitiakitanga – the exercise of guardianship by Kai Tahu in accordance with tikanga Maori; and includes the ethic of stewardship;
- Mauri – life force;
- Waahi tapu and/or Waiwhakaheke – sacred places;
- Waahi taoka – treasured resource;
- Mahika kai – places where food is procured or produced;
- Kohanga – important nursery/spawning areas for native fisheries and/or breeding grounds for birds;
- Trails – sites and water bodies which formed part of traditional routes, including tauraka waka (landing place for canoes); and
- Cultural materials – water bodies that are sources of traditional weaving materials (such as raupo and paru) and rongoa (medicines).

The Regional Plan’s Schedule 1A is a schedule of natural values, and identifies Lake Whakātipu as having ecosystem values (reads “Psize, Pplant, Weedfree, Hjuve(t&s), Hriparian, Eel, Trout, Salmon, Sigveg, Rarefish, Invrare”); outstanding values as a fishery, for its scenic characteristics, for scientific value (in particular water clarity, and bryophyte community), for recreational purposes (in particular boating), for historical purposes, and for significance in accordance with tikanga Māori (in particular sites at the head of the lake, and the legend of the lake itself); and scenic values within the wider landscape context of the surrounding mountains. Schedule 1A also identifies the lake as significant habitat for koaro and having significant vegetation (reads “Rare association of aquatic plants”).

Lake Wakātipu | Whakātipu-Wai-Māori supports a range of commercial and recreational surface water activities, including berths and moorings for vessels⁸, and is widely used during the summer months for activities such as boating, paddle boarding, and kayaking.

The receiving environment also includes the shoreline surrounding the Frankton Arm, which is highly modified. This area contains recreational areas such as Kelvin Peninsula Reserve and the Kelvin Heights Golf Course located to the west on the Kelvin Peninsula; the Kelvin Peninsula Track, which is primarily a walking track but also shared with bikers and golfers; adjoining land zoned Informal Recreation;

⁸ For example, see ‘\$20m marina finally opens | Otago Daily Times Online News’ – published 25 November 2022, the article discusses the second stage of the Queenstown Marina development on Frankton Arm.

residential development; and roads. The Kelvin Peninsula Slipway and associated facilities, and its use by the TSS Earnslaw, are important features of the Informal Recreation Reserve at the Kelvin Peninsula. Figure 1 below shows the Frankton Arm of Lake Wakātipu|Whakātipu-Wai-Māori.

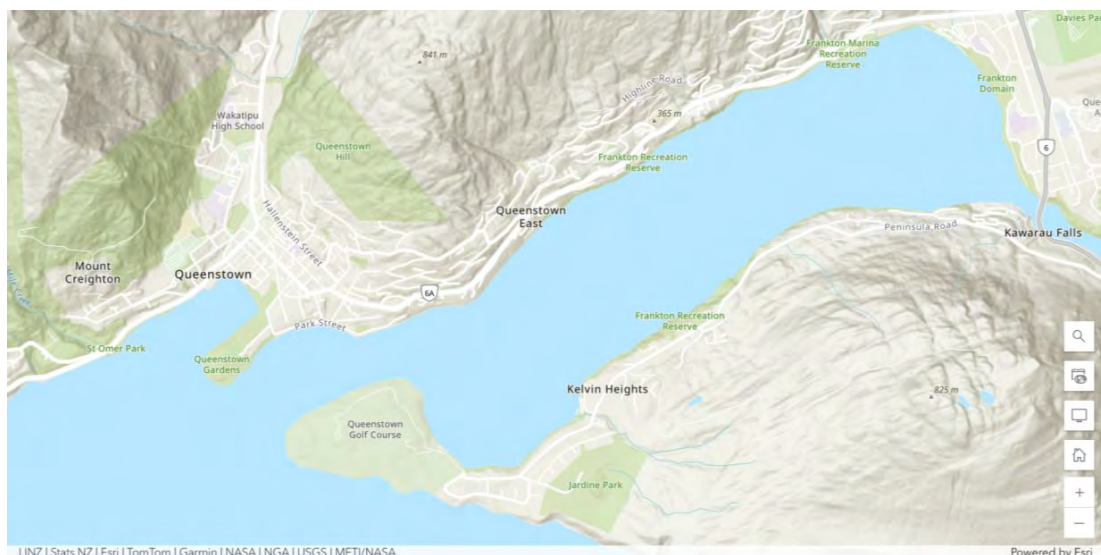


Figure 1: Location plan showing the Frankton Arm of Lake Wakātipu|Whakātipu-Wai-Māori, with Kelvin Heights along its southern shoreline (Source: [arcgis.com](https://www.arcgis.com)⁹).

Figure 2 below shows Kelvin Heights along the southern shoreline of the Frankton Arm at a smaller scale than Figure 1. It shows land zoned Informal Recreation, with the Kelvin Peninsula Track labelled. The red dots show moorings (show QLDC's 'Mooring Inspection - Wakatipu_stakeholder - Survey Point' feature layer Survey Points).

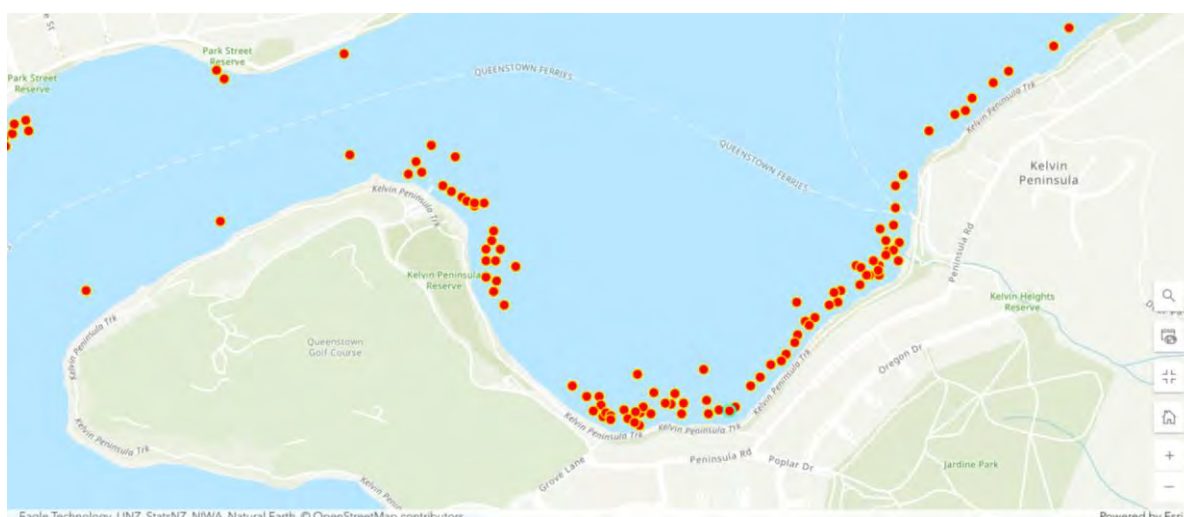


Figure 2: Topographic (Vector) basemap showing the Frankton Arm of Lake Wakātipu|Whakātipu-Wai-Māori, focusing on Kelvin Heights along its southern shoreline. The Survey Point detail shows moorings (from mooring inspections) as red dots. Mooring #53 is the red dot with blue outline (Source: [arcgis.com](https://www.arcgis.com)¹⁰).

⁹ <https://www.arcgis.com/apps/mapviewer/index.html>.

¹⁰ <https://www.arcgis.com/apps/mapviewer/index.html>. NZ Topographic (Vector) basemap. 'Moorings Inspection - Wakatipu_stakeholder' Feature layer (Item updated 1 May 2020).

2.2.2 The site

Mooring #53 is a private swing mooring located in the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori at 45° 02' 41.17 S, 168° 41' 07.04 E (WGS84 Decimal Degrees). This GPS position is a confirmed true block location, verified by Mr Garry Wright of Wright Building and Diving Services Ltd (refer to **Appendix C**).

The mooring sits adjacent to land designated under Designation 184 for the purpose of 'Recreation Reserve and Esplanade Reserve', which is largely used as a walking track along Kelvin Heights, and lies to the north of 669 Peninsula Road, Kelvin Heights. Figures 3 and 4 below show the location of mooring #53 within the Frankton Arm, with Figure 4 presented at a smaller scale than Figure 3, showing the mooring's location relative to 669 Peninsula Road. The mooring is associated with 558 Peninsula Road, Kelvin Heights, however (being the Applicant's property).

Figures 3 and 4 also illustrate (as does Figure 2 above) that this stretch of shoreline features several moorings. Figure 5, which is presented on a QLDC Aerial Imagery basemap, shows that approximately seven to eight vessels are berthed at any one time. These moorings have been a feature of the shoreline here since at least 1984 (refer to Photos 1 and 2 above).

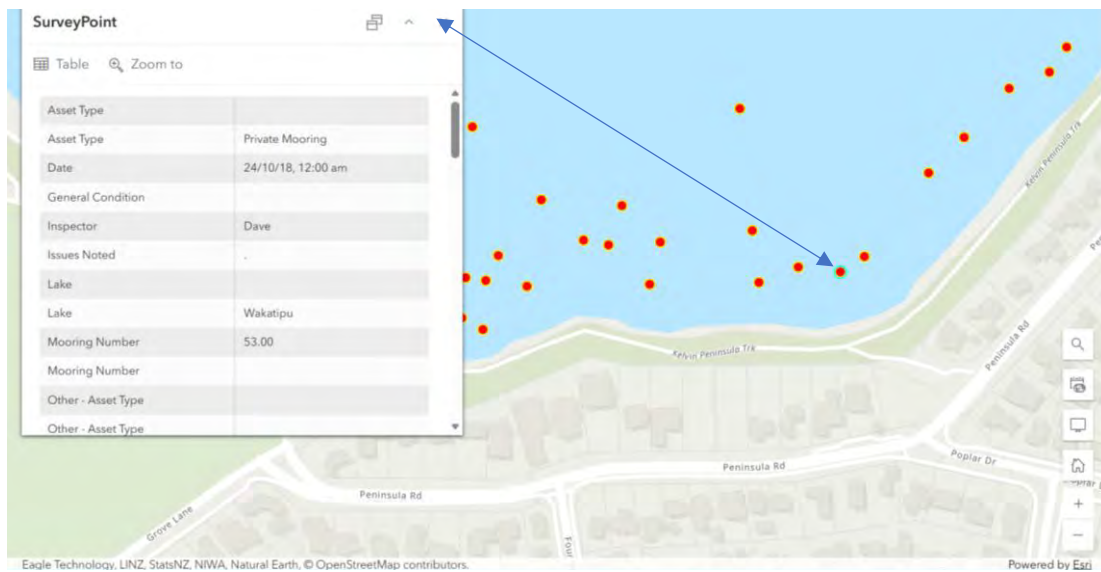


Figure 3: The location of mooring #53 (red dot with blue outline) on a NZ Topographic (Vector) basemap (Source: arcgis.com¹¹).

¹¹ As above.

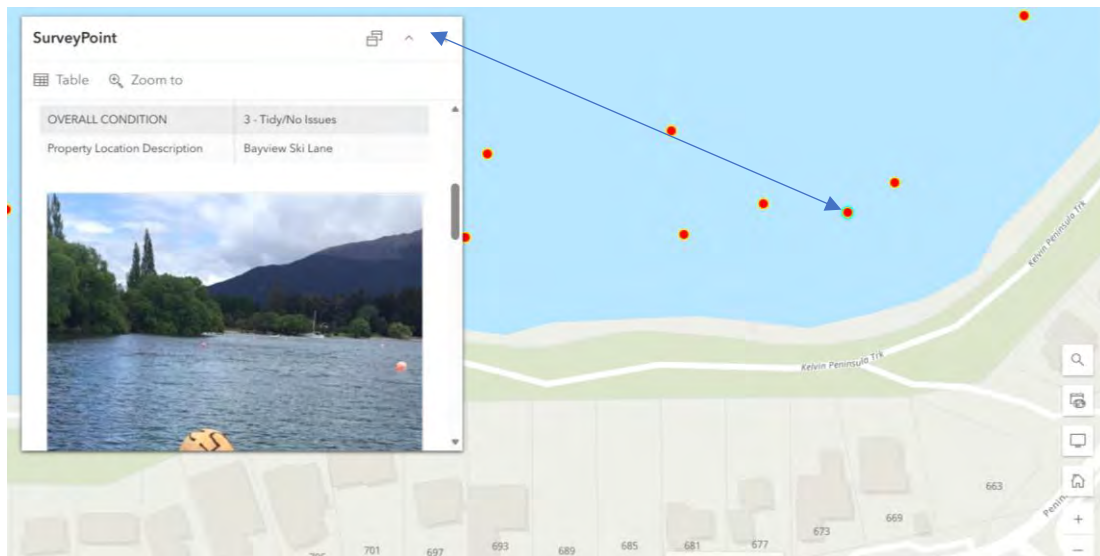


Figure 4: The location of mooring #53 (red dot with blue outline) on a NZ Topographic (Vector) basemap, at a larger scale than Figure 1 shows. The Survey Point detail includes a photograph of the mooring buoy. (Source: arcgis.com¹²).

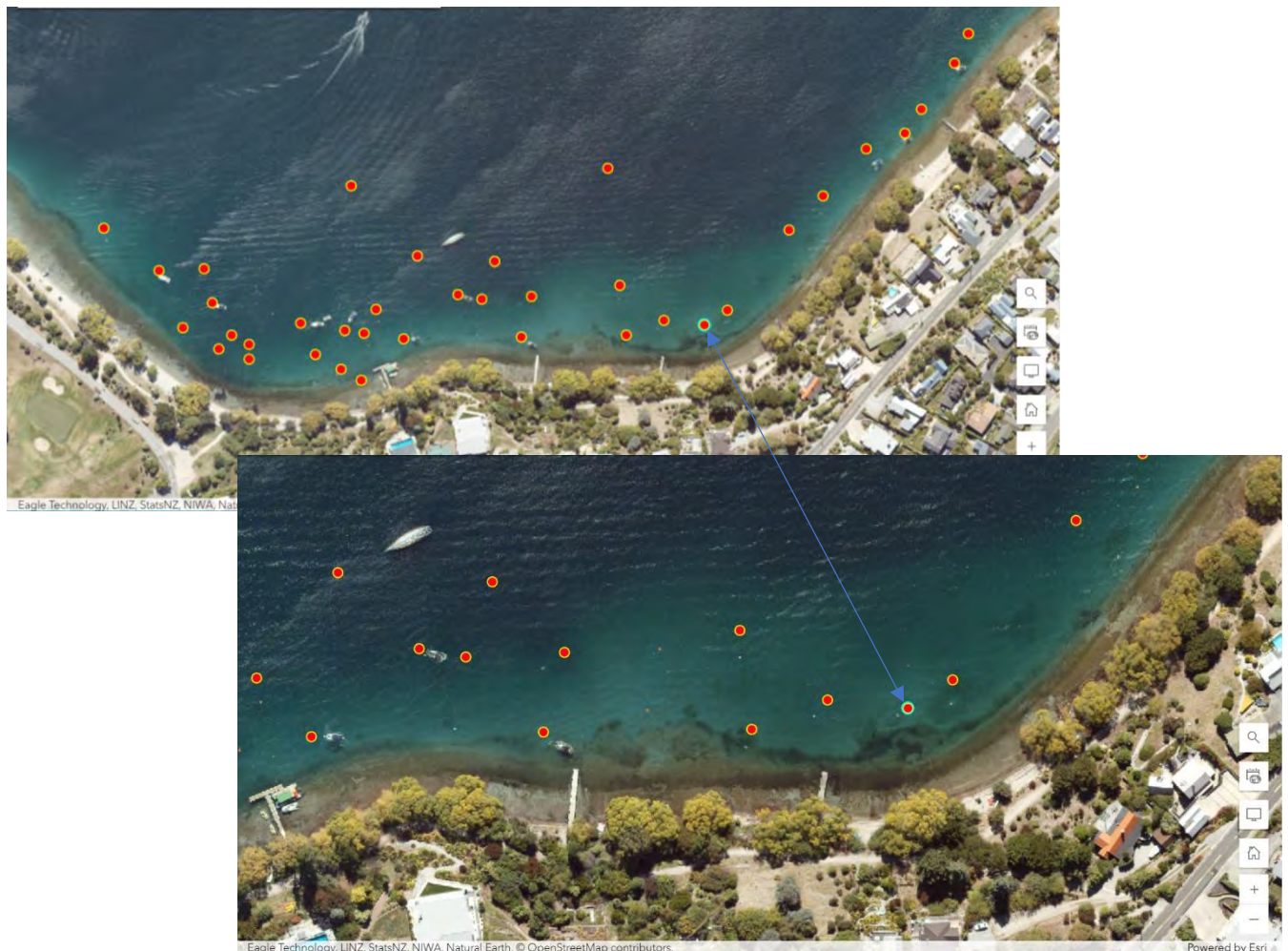


Figure 5: The location of mooring #53 (red dot with blue outline) on a QLDC Aerial Imagery basemap (Source: [Arcgis.com](https://arcgis.com)).

¹² As above.

2.3 Description of Proposed Activity

Resource consent is sought to legalise an existing private swing mooring (mooring #53) located on the southern shoreline of the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori. The mooring is associated with the Applicant's property at 558 Peninsula Road, Kelvin Heights.

The swing mooring, which is understood to predate the RMA (refer to Section 2.1 above), includes buoys (top section), shackles and chain, and a concrete block (bottom section).

As detailed in the Mooring Inspection Report by Mr Garry Wright of Wright Building and Diving Services Ltd (refer to **Appendix C**), the concrete mooring block, which measures 1 metre (m) x 1 m x 0.5 m and has an estimated dry weight of 1,050 kilograms, includes a 32 millimetre (mm) rebar block ring¹³ that is connected by a 16 mm diameter block shackle to a 5 m ground chain. The ground chain connects to a 4.5 m middle chain, which in turn connects to an 'A4 Pink' mooring buoy that is numbered '53'. Photo 3 below shows it and the Applicant's pick-up buoy (the small buoy with a handle), which is yellow in colour. The boat attachment consists of a 1.5 m rope strop with a stainless steel thimble and 16 mm shackle, together with 0.5 m of 13 mm chain.



Photo 3: Photograph from the Mooring Inspection Report (Appendix C) showing the components of mooring #53 visible at and from the surface of the Lake, from alongside the mooring.

¹³ It is cast into the concrete.

The components of mooring #53 have been identified by Mr Garry Wright, who is suitably qualified and experienced to undertake this work, as being in good condition, and the calculated total swing radius of mooring #53 at the lowest Lake level is 9 m (refer to **Appendix C**).

Photo 4 below shows the earlier mooring buoy (now replaced, as shown in Photo 3) and a view towards the shoreline. Photos 5, 6 and 7 are recent photographs showing the location of mooring #53 within the Frankton Arm of the Lake.



Photo 4: Photograph from *arcgis.com* 'Moorings Inspection - Wakatipu_stakeholder' Feature layer (Item updated 1 May 2020), copied from the Survey Point detail for mooring #53. This photograph shows an earlier surface float for mooring #53 (compare with the more recent Photo 3). (Source: As described above, Survey Point detail last edited by QLDC on 10/24/2018).



Photo 5: Photograph taken by the Applicant showing the location of mooring #53 within the Frankton Arm of Lake Wakatipu / Whakātipu-Wai-Māori. View from the Kelvin Peninsula Track (April 2026).



Photo 6: Photograph taken by the Applicant showing the location of mooring #53 within the Frankton Arm of Lake Wakātipu |Whakātipu-Wai-Māori. View from standing on jetty (April 2026).



Photo 7: Photograph taken by the Applicant showing the location of mooring #53 within the Frankton Arm of Lake Wakātipu |Whakātipu-Wai-Māori. View from the shoreline. Compare with Photo 6, which shows the same jetty (April 2026).

The purpose of mooring #53 is for securing a recreational vessel, and in accordance with Section 123(c) of the Resource Management Act 1991 a land use consent for the mooring is sought for a duration of 35 years.

The Applicant requests that the application be limited notified to iwi (both Aukaha and Te Ao Marama Incorporated as the representatives of Kāi Tahu).

3 CONSENT REQUIREMENTS AND ACTIVITY STATUS

3.1 Sections 10, 10A and 20A of the Resource Management Act (RMA)

Section 139A 'Consent authorities to issue existing use certificates' of the RMA refers to Sections 10, 10A and 20A. These sections are addressed on the following page.

3.1.1 Section 10 of the RMA

Section 10(1) prescribes (with emphases added) that:

“Land may be used in a manner that contravenes a rule in a district plan or proposed district plan if—
(a)...

- (i) the use was lawfully established before the rule became operative or the proposed plan was notified; and*
- (ii) the effects of the use are the same or similar in character, intensity, and scale to those which existed before the rule became operative or the proposed plan was notified”.*

Comment:

Mooring #53 is understood to predate the RMA and is therefore considered to have been lawfully established. As mooring #53 continues to operate with similar character, intensity and scale, it is considered to have existing use rights pursuant to Section 10 of the RMA.

3.1.2 Section 10A of the RMA

Section 10A prescribes (with emphases added) that:

“In respect of the use of the surface of water in lakes and rivers where, as a result of a rule in a district plan becoming operative, or a rule in a proposed district plan taking legal effect in accordance with section 86B or 149N(8), an activity that formerly was a permitted activity or that otherwise could have been lawfully carried out without a resource consent requires consent, the activity may continue to be carried on after the rule in the plan becomes operative, or the rule in the proposed plan takes legal effect in accordance with section 86B or 149N(8), if—

- (a) the activity was lawfully established before the rule in the plan became operative or the rule in the proposed plan took legal effect in accordance with section 86B or 149N(8); and*
- (b) the effects of the activity are the same or similar in character, intensity, and scale to those which existed before the rule in the plan became operative or the rule in the proposed plan took legal effect in accordance with section 86B or 149N(8); and*
- (c) the person carrying on the activity applies for a resource consent from the appropriate consent authority within 6 months of the rule in the plan becoming operative.”*

Comment:

Section 10A(c) identifies that, although mooring #53 is considered to have been lawfully established and have existing use rights (as has been described above), its activity on (use of) the surface of the water nevertheless requires a resource consent under the PDP (there are no longer any relevant rules under the ODP, given the relevant rules under the PDP are treated as operative pursuant to RMA section 86F ‘When rules in proposed plans must be treated as operative’).

3.1.3 Section 20A of the RMA

Section 20A(2) prescribes (with emphases added) that:

“If, as a result of a rule in a regional plan becoming operative, an activity requires a resource consent,

the activity may continue after the rule becomes operative if, —

- (a) before the rule became operative, the activity—*
 - (i) was a permitted activity or allowed to continue under subsection (1) or otherwise could have been lawfully carried on without a resource consent; and*
 - (ii) was lawfully established; and*
- (b) the effects of the activity are the same or similar in character, intensity, and scale to the effects that existed before the rule became operative; and*
- (c) the person carrying on the activity has applied for a resource consent from the appropriate consent authority within 6 months after the date the rule became operative and the application has not been decided or any appeals have not been determined.*

Comment:

Section 20A(2)(c) identifies that, although mooring #53 is considered to have been lawfully established and have existing use rights (as has been described above), its bed disturbance activity nevertheless requires a resource consent under the Regional Plan.

3.2 Consents Required

The Proposed Queenstown Lakes District Plan (PDP) and the Regional Plan: Water for Otago (Regional Plan) are the relevant plans with respect to this application (there are no longer any relevant rules under the ODP, given the relevant rules under the PDP are treated as operative pursuant to RMA section 86F 'When rules in proposed plans must be treated as operative'). The following consents are required.

3.2.1 Proposed Queenstown Lakes District Plan (PDP)

Section 10A(c) of the RMA identifies that the existing mooring requires a resource consent under the PDP (as has been described above), and the following consent is required:

- **Restricted Discretionary Activity** under Rule 21.15.7 'Jetties and Moorings in the Frankton Arm', as an activity on the surface of Lake Wakātipu|Whakātipu-Wai-Māori, because mooring #53 is located on the southern shoreline of the Frankton Arm of the Lake (i.e., within the Frankton Arm, identified as "the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application"), and therefore consent as a Non-Complying Activity under Rule 21.15.9 'Structures and Moorings' for being in a location the District Plan web mapping application shows as being Non-Complying is not triggered.

Discretion is restricted to the following matters:

- a. whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;*
- b. whether the structure causes an impediment to craft manoeuvring and using shore waters.*

- c. *the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;*
- d. *the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;*
- e. *whether the structure will be used by a number and range of people and craft, including the general public;*
- f. *the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design; and*
- g. *whether the structure enables the use of public water ferry services and/or water based transport.”*

3.2.2 Regional Plan: Water for Otago (Regional Plan)

Section 20A(2)(c) of the RMA identifies that the existing mooring requires a resource consent under the Regional Plan (as has been described above), and the following consent is required:

- **Discretionary Activity** under Rule 13.2.3.1 for the placement of a structure (i.e., mooring #53) on and over the bed of Lake Wakātipu | Whakātipu-Wai-Māori, as the mooring is not provided for by Permitted Activity Rules 13.2.1.1 to 13.2.1.7, 13.2.1.7A, 13.2.1.7B and 13.2.1.8 or by Restricted Discretionary Activity Rule 13.2.2.1.

3.2.3 Assessment against relevant Permitted Activity rules

No other resource consents are required for the proposed activity, as there are no longer any relevant rules under the ODP (as has been described above) and as the Applicant will hereafter be able to rely on Permitted Activity rules, with activity on the surface of the Lake associated with minor repair, maintenance or alteration a Permitted Activity under PDP Rule 21.15.4¹⁴, and with the use, repair, maintenance, extension, alteration, replacement or reconstruction of a structure a Permitted Activity under Regional Plan Rules 13.1.1.1¹⁵, 13.3.1.1¹⁶, 13.3.1.2¹⁷ and 13.5.1.1¹⁸ subject to the conditions of those rules. A full assessment against the relevant Permitted Activity rules of the PDP and the Regional Plan is set out in Tables 3 and 4, respectively, below.

Table 3: Assessment of the proposal against the relevant Permitted Activity rules of the PDP

Rule	
Rule 21.15.4: <i>“Minor repairs, maintenance or alterations of existing operational jetties and moorings.”</i>	Complies

¹⁴ ‘Minor repairs, maintenance or alterations of existing operational jetties and moorings’.

¹⁵ ‘The use of a structure – Permitted activities: No resource consent required’.

¹⁶ Begins “The repair or maintenance or any lawful structure...”

¹⁷ Begins “The extension, alteration, replacement or reconstruction of any lawful structure...”

¹⁸ Begins “The disturbance of the bed of any lake...and any resulting discharge or deposition of bed material associated with...”

Rule 39.4.2: <i>"Structures within an identified wāhi tūpuna area are permitted."</i>	Complies
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Table 4: Assessment of the proposal against the relevant Permitted Activity rules of the Regional Plan

Rule	
Rule 13.1.1.1: <i>"The use of any structure that is fixed in, on, under, or over the bed of any lake or river, or any Regionally Significant Wetland, is a permitted activity, providing:</i> <i>(a) The structure is lawfully established; and</i> <i>(b) In the case of a change in use, the effects of the new use of the structure are the same or similar in character, intensity and scale as the preceding use; and</i> <i>(c) Measures are taken to avoid animal waste entering the lake, river or Regionally Significant Wetland; and</i> <i>(d) The structure is maintained in good repair."</i>	Complies The structure is considered to have been lawfully established and have existing use rights under Section 10 of the RMA, but not under Sections 10A and 20A (as has been described above), however it will, through this application, become lawfully established under the RMA. Mooring #53 will be maintained in good repair.
Rule 13.3.1.1: <i>"The repair or maintenance of any lawful structure in, on, under or over the bed of a lake or river, or any Regionally Significant Wetland, is a permitted activity providing:</i> <i>(a) There is no permanent change to the scale, nature or functions of the structure."</i>	Complies The structure is considered to have been lawfully established and have existing use rights under Section 10 of the RMA, but not under Sections 10A and 20A (as has been described above), however it will, through this application, become lawfully established under the RMA. Any repair or maintenance of mooring #53 will not change its scale, nature or function.
Rule 13.3.1.2: <i>"The extension, alteration, replacement or reconstruction of any lawful structure in, on, under or over the bed of a lake or river, or any Regionally Significant Wetland, is a permitted activity providing:</i> <i>(a) In the case of a replacement or reconstruction, the structure is replaced or reconstructed in the same location as the original structure; and</i> <i>(b) There is no permanent change to the scale, nature or functions of the structure, except where a rule under 13.2.1 applies to that structure and the conditions of that rule are met."</i>	Complies The structure is considered to have been lawfully established under Section 10 of the RMA, but not under Sections 10A and 20A (as has been described above), however it will, through this application, become lawfully established under the RMA. Maintenance work on the mooring will not change the scale of the mooring. If replaced the new mooring will be placed in the same location and at the same scale as the existing mooring.
Rule 13.5.1.1: <i>"The disturbance of the bed of any lake or river, or any Regionally Significant Wetland, and any resulting discharge or deposition of bed material associated with:</i> <i>(i) The erection, placement, extension, alteration, replacement, reconstruction, repair, maintenance, demolition or removal, of any structure that is fixed in, on, under or over the bed of any lake or river, or the wetland."</i>	Complies Any lake bed disturbance and discharge activity will be limited to the matters identified in Rule 13.5.1.1(i).

3.2.4 Activity Status

In summary, the consent proposal is:

- A Restricted Discretionary Activity under PDP Rule 21.15.7 because mooring #53 is located on the southern shoreline of the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori; and
- A Discretionary Activity under Regional Plan Rule 13.2.3.1 for the placement of a structure (i.e., mooring #53) on and over the bed of Lake Wakātipu | Whakātipu-Wai-Māori.

Bundled consent is sought for a **Discretionary Activity**.

4 ASSESSMENT OF ENVIRONMENTAL EFFECTS

Section 88 and Schedule 4 of the RMA require an assessment of any actual or potential effects **in such detail as corresponds with the scale and significance of the effects** that the proposed activity may have on the environment, and the ways in which any adverse effects may be avoided, remedied or mitigated.

The following environmental effects are considered relevant to this application:

- Landscape, visual and amenity effects;
- Effects associated with disturbance of the bed of the Lake and ecological effects;
- Effects on other users of the Lake;
- Effects on navigation and water safety;
- Effects on historic values, spiritual and cultural values; and
- Positive effects.

These effects are discussed in detail below. Other matters (Schedule 4 of the RMA) are then discussed before a summary of effects.

4.1 Actual or Potential Effects

4.1.1 Landscape, visual and amenity effects

Landscape, visual and amenity effects are relevant to addressing PDP Rule 21.15.7 matters of discretion points a), c), d) and f).

Mooring #53 is located outside of the wider Whakātipu-Wai-Māori Outstanding Natural Landscape, which is reflected in the PDP rule network (i.e., with moorings a Restricted Discretionary rather than a Non-Complying Activity in the Frankton Arm, as described above). Mooring #53 is not a dominant or obtrusive element in the Frankton Arm shorescape or the wider Lake views because, although visible from the surface of the Lake and from elevated public and private viewpoints around the Frankton

Arm, as well as from parts of the southern shoreline, it forms an established part of the existing shorescape and sits within a wider cluster of existing moorings and jetties accessed from the Kelvin Heights Peninsula walking track (refer to Figures 3 to 5 above). Mooring #53 has formed part of the receiving environment for many years (e.g., see Photo 4 above) and is not large. Its bright colours (the pink A4 mooring buoy and the yellow pick-up buoy, as shown in Photo 3) are required for navigational safety and are therefore expected for the activity.

Mooring #53 will not obstruct views or diminish the recreational experience of people using public areas around the shoreline, particularly the walking track corridor and adjoining reserve land at Kelvin Heights, which is zoned Informal Recreation (with the PDP defining ‘informal recreation’ as “a pastime, leisure sport or exercise activity that occurs on an ad hoc basis or on a regular basis and contributes to a person’s enjoyment and/or relaxation. Excludes Organised sport and recreation”, and noting both that the Informal Recreation zone applies to QLDC administered reserves and that the PDP details “where a reserve adjoins a water body, the reserve is zoned to recognise, and provide for, the interrelationship between the water activities and the land based component of those activities”¹⁹). The mooring is visible from some sections of the Kelvin Peninsula walking track, which is well utilised by the public, but these views are intermittent. Users of the walking track and of the Lake also view mooring #53 within the wider context of existing moorings, jetties, and both recreational and commercial Lake activity (such as water skiing associated with the Kelvin Grove ski lane²⁰). As a result, the presence of mooring #53 does not introduce a new or prominent visual element; being able to see moorings and vessels moored is neither unusual nor unexpected (noting that under PDP Rule 39.4.2 moorings are a Permitted Activity within an identified wāhi tūpuna area, which includes the Lake (reference 33)). The visual appearance of mooring #53 on the surface of Lake Wakātipu | Whakātipu-Wai-Māori is therefore as expected for the activity.

Due to the above, and noting that mooring #53 has long formed part of the receiving environment and does not change the number of stationary vessels on the surface of the Lake (as it is an existing mooring), the mooring is considered compatible with the landscape and amenity values of this part of Lake Wakātipu | Whakātipu-Wai-Māori, including colour, materials, design. For context, the RMA defines ‘amenity values’ as “*those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes*”, and Section 4.1.3 further assesses effects on other users of this part of the Lake (i.e., recreational effects) and Section 4.1.5 assesses effects on historic values, spiritual and cultural values.

Overall, for the reasons outlined above, it is considered that the proposal will have a less than minor

¹⁹ Chapter 38 Open Space and Recreation Zones, 38.1 Purpose.

²⁰ navigation-safety-bylaw-2025-te-ture-a-rohe-mo-te-haumaru-whakatere-2025-web (1).pdf

effect on the environment with respect to landscape, visual and amenity effects.

4.1.2 Effects associated with disturbance of the bed of the Lake and ecological effects

A Mooring Inspection Report carried out on 23 January 2026 by Mr Garry Wright of Wright Building and Diving Services Ltd is attached as **Appendix C**. The Mooring Inspection Report identifies the components of mooring #53, and records that all are in good condition. The mooring concrete block, which is described as being “permanent (approx. 50 years ?)” with a “Block attachment [that] could last 25 year?”, was not observed to have shifted or become buried on the bed of Lake Wakātipu | Whakātipu-Wai-Māori.

The Applicant’s current Mooring Permit, issued on 1 July 2025 (refer to **Appendix D**), includes maintenance requirements that align with the inspection findings above.

The Applicant will hereafter be able to rely on PDP Rule 21.15.4²¹, under which minor repairs, maintenance or alteration of the mooring, as an activity on the surface of the Lake, is a Permitted Activity, and on Regional Plan Rules 13.1.1.1²², 13.3.1.1²³, 13.3.1.2²⁴ and 13.5.1.1²⁵, under which the use, repair, maintenance, extension, alteration, replacement or reconstruction of the structure as a Permitted Activity, subject to the conditions of those rules (including that the structure is maintained in good repair²⁶, there is no permanent change to the scale, nature or functions of the structure²⁷, the structure is replaced or reconstructed in the same location as the original structure²⁸, and the bed disturbance is limited to the extent necessary to undertake the work²⁹). Therefore, no further assessment is necessary in this regard.

With respect to ecological effects, the Applicant acknowledges that aquatic pest species are present in the lakes, including Lagarosiphon, and volunteers conditions of consent to ensure that all reasonable precautions are taken to minimise the spread of pest plants and aquatic weed and that no waste product enters the Lake when the mooring is in use.

Overall, for the reasons outlined above, and noting that mooring #53 has long formed part of the receiving environment, it is considered that the proposal will have a negligible effect on the

²¹ ‘Minor repairs, maintenance or alterations of existing operational jetties and moorings’.

²² ‘The use of a structure – Permitted activities: No resource consent required’.

²³ Begins “The repair or maintenance or any lawful structure...”

²⁴ Begins “The extension, alteration, replacement or reconstruction of any lawful structure...”

²⁵ Begins “The disturbance of the bed of any lake...and any resulting discharge or deposition of bed material associated with...”

²⁶ Rule 13.1.1.1(d).

²⁷ Rule 13.3.1.1(a) and Rule 13.3.1.2(b).

²⁸ Rule 13.3.1.2(a).

²⁹ Rule 13.5.1.1(d).

environment with respect to disturbance of the bed of the Lake, and a less than minor effect on the environment with respect to ecological effects.

4.1.3 Effects on other users of the Lake

With respect to addressing PDP Rule 21.15.7 matters of discretion points c), e) and g), mooring #53 is an existing private swing mooring and the purpose of the mooring will remain the same (i.e., for securing a recreational vessel). The mooring will not be available for the general public, however does not preclude this use occurring elsewhere in the Frankton Arm.

The Applicant's current Mooring Permit, issued on 1 July 2025 (refer to **Appendix D**), includes a condition that the mooring must remain in the "position of mooring" described within the permit and that the permit holder (the Applicant) must mark the location of the mooring with a buoy or float that displays the permit number. The Mooring Inspection Report carried out on 23 January 2026 by Mr Garry Wright of Wright Building and Diving Services Ltd (refer to **Appendix C**) – with details subsequently completed by the Applicant for the 6.5 m recreational powered craft 'Priority', the primary vessel using mooring #53 – confirms the mooring's position (confirmed true block location) and records that all its components are in good condition. The components of the mooring system include a pink mooring buoy with the number 53 on top (refer to Photos 3 and 5-7).

Photos 1 and 2 show that moorings have been located within Lake Wakātipu | Whakātipu-Wai-Māori at the Frankton Arm for at least 40 years, including in the location of mooring #53, with the photographs recently taken by the Applicant (refer to Photos 5-7) showing that mooring #53 remains within a cluster of existing moorings and adjacent to nearby features (e.g., with jetty 13 visible in Photos 6 and 7, and Photo 5 having been taken from the Kelvin Peninsula Track).

Given the existing environment and pattern of development, mooring #53 is considered a sufficient distance from the shoreline not to affect or diminish the recreational experience of people using public areas around the shoreline. Mooring #53 is, for example, to the southeast of the Kelvin Grove Beach area, which lies adjacent to the Wakatipu Yacht Club near the entrance to the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori. Mooring #53 is considered to be a small element in the context of the surrounding landscape (refer to Section 4.1.1 above) and in keeping with use of the Frankton Arm in this location (refer to Figures 2-5 and Photos 5-7) and unlikely to adversely affect the recreation experience of other users of the Lake on the southern shoreline of the Frankton Arm, such as swimmers, kayakers, and other boaters (with effects on navigation and water safety assessed below).

Overall, for the reasons outlined above, mooring #53 will have a no more than minor effect on other users of the Lake.

4.1.4 Effects on navigation and water safety

Effects on navigation and water safety are relevant to addressing PDP Rule 21.15.7 matters of discretion points b) and d), and to an extent c) and g).

The components of mooring #53 have been identified by Mr Garry Wright, who is suitably qualified and experienced to undertake this work, as being in good condition (refer to **Appendix C**), and the Applicant notes Mr Wright's estimated life expectancy of the mooring prior to upgrades or replacements being needed – with the Mooring Inspection Report stating, "Concrete Block is permanent (approx. 50 years ?) Block attachment could last 25 years? Chains and components will have to be inspected every 2 years."

The Mooring Inspection Report calculated a total swing radius of 9 m for mooring #53 at the lowest lake level, noting that the lowest water level is when a moored vessel will be at its maximum distance from its mooring block. The Applicant subsequently provided details of the primary vessel using mooring #53 – a recreational powered craft of 6.5 m length (refer to **Appendix C**) – and it is expected that the Harbour Master will provide input through the Council's resource consent processing pathway with respect to whether the mooring, when a vessel is moored to it, causes an impediment to craft manoeuvring and using shore waters (particularly, with respect to adjacent mooring #54).

Due to mooring #53 being an existing mooring located approximately 35 m from the shoreline, within a low speed environment³⁰, and outside the general public swimming and recreational areas of the Frankton Arm, and noting that no recent navigation or safety concerns that have been identified by the Harbour Master in relation to its current position, it is considered that adverse effects on navigation and water safety will be no more than minor however, while noting that the Harbour Master will provide an assessment (i.e., prepare a navigational safety report).

4.1.5 Effects on historic values, spiritual and cultural values

Whakatipu-wai-māori (Lake Wakatipu) is a Statutory Acknowledgment Area under Schedule 75 of the Ngai Tahu Claims Settlement Act 1998. Lake Wakātipu|Whakātipu-Wai-Māori contains significant cultural values. This includes that the lake once supported nohoanga and villages which were the seasonal destinations of Otago and Murihiku (Southland) whānau and hapū for many generations, exercising ahi kā and accessing mahinga kai and providing a route to access the treasured pounamu located beyond the head of the lake within the Dart and Routeburn River catchments³¹. Furthermore, Whakatipu-wai-māori is one of three principal lakes feeding the Clutha/Mata-au River and it is

³⁰ Under Clause 9.1 of the QLDC Navigational Safety Bylaw 2025, within 200 metres of the shore or any structure (mooring), a vessel must not travel at a speed greater than 5 knots.

³¹ Details sourced from www.legislation.govt.nz/act/public/1998/0097/latest/DLM431308.html

acknowledged that water plays a significant role in cultural and spiritual beliefs, including that “*He taura whiri kotahi mai anō te kopunga tai nō i te pu au*” (from the source to the mouth of the sea all things are joined together as one)³².

A review of the Kai Tahu ki Otago Natural Resource Management Plan has been undertaken, and the proposal is not considered to be inconsistent with its issues and objectives. There is no sediment release from the activity, as the mooring is existing; there is no discharge of human waste from the activity into water, nor will there be; no contaminants are discharged to water, nor will they be (with the Applicant volunteering a condition of consent that no waste product enters the Lake when the mooring is in use); and the proposal does not alter flow within the Lake. In addition, the proposed activity does not require any earthworks to be undertaken, as described above; and structures within an identified wāhi tūpuna area are a Permitted Activity under PDP Rule 39.4.2.

Overall, for the reasons outlined above, effects on historic values, spiritual and cultural values are considered to likely be less than minor, noting that while there has been pre-application consultation with Aukaha and TAMI, the Applicant requests limited notification to iwi (refer to Table 2).

4.1.6 Positive Effects

The continued use of mooring #53, lawfully under the RMA, will have a positive effect on the Applicant through providing for their social wellbeing.

4.2 Other Matters

Pursuant to Schedule 4 of the RMA, there are several other matters that must be addressed by an Assessment of Environmental Effects as set out below:

a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:

This mooring is existing, and the location, scale, and purpose of the mooring will remain the same. These matters have been addressed above in Section 4.1.

b) any physical effect on the locality, including any landscape and visual effects:

This matter has been addressed above in Section 4.1 (refer to Section 4.1.1).

c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:

This matter has been addressed above in Section 4.1 (refer to Section 4.1.2).

³² Kai Tahu ki Otago Natural Resource Management Plan 2005, Chapter 5.3 Wai Maori.

d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:

This matter has been addressed above in Section 4.1, noting here that there are no historic places/features listed within Schedule 1C 'Schedule of registered historic places' of the Regional Plan³³ within the vicinity of mooring #53 and, as set out in Tables 1 and 2 and in Section 2.3, the Applicant requests limited notification to iwi (both Aukaha and Te Ao Marama Incorporated as the representatives of Kāi Tahu).

e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:

The Applicant volunteers a condition of consent that no waste product enters the Lake when the mooring is in use. There will be no unreasonable emission of noise associated with the mooring.

f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations:

The mooring by reason of its location in the Lake is subject to natural hazards such as flooding, however there are no additional risks to the neighbourhood, the wider community or the environment than what currently exists, so the effects through natural hazards are less than minor.

4.3 Summary of Effects

Mooring #53 is considered to be appropriate in this location. Overall, the proposal will have no more than minor effects on the environment.

5 STATUTORY CONSIDERATIONS

5.1 Resource Management Act 1991 (RMA)

Resource consent applications must be considered under Part 2 of the Act. Part 2 includes the purpose and principles of the Act.

5.1.1 Purpose (Section 5)

As provided in Section 5, the purpose of the Act is "...to promote the sustainable management of natural and physical resources." The Act defines the term sustainable management as follows:

"...means managing the use, development, and protection of natural and physical resources in

³³ This schedule identifies registered historic places which occur in, on, under or over the beds or margins of Otago's lakes and rivers.

a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

Comment:

Mooring #53 is existing, and the location, scale, and purpose of the mooring will remain the same. Adverse effects associated with the proposal are expected to be avoided or otherwise mitigated, and subject to conditions, the mooring will have no more than minor effects on the environment (refer to Section 4 above). The proposal is considered appropriate in this location and consistent with RMA Section 5.

5.1.2 Principles (Sections 6, 7 and 8)

Sections 6, 7 and 8 list a number of matters to which decision makers under the Act must pay special attention. Matters of national importance must be provided for (Section 6), other matters must have particular regard paid to them (Section 7) and the principles of the Treaty of Waitangi must be taken into account (Section 8).

Section 6 of the Act – Matters of National Importance states:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognize and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) the protection of recognised customary activities:*
- (h) the management of significant risks from natural hazards.*

Comment:

The natural character within this area is modified, as described above, and this proposal forms part of

the receiving environment. Regarding RMA Sections 6(a) and 6(d), existing public access to the Lake is maintained, and the mooring does not affect access along the Lake (e.g., use of the walking track). RMA Section 6(b) is not applicable, and there are no known areas of significant indigenous vegetation or significant habitats of indigenous fauna (RMA Section 6(c)). The proposal is not inconsistent with RMA Section 6(e) matters (refer to Section 4.1 above), including Section 6(g), and is not considered inappropriate (RMA Section 6(f)). Overall, the proposal is considered to be consistent with RMA Section 6.

Section 7 – Other Matters prescribes other matters to which persons shall “have particular regard”, and of relevance to the proposal are the following:

- (a) *kaitiakitanga:*
- (aa) *the ethic of stewardship:*
- (b) *the efficient use and development of natural and physical resources:*
- (c) *the maintenance and enhancement of amenity values:*
- (d) *intrinsic values of ecosystems:*
- (f) *the maintenance and enhancement of the quality of the environment:*
- (g) *any finite characteristics of natural and physical resources:*

Comment:

Section 4 provides an assessment of effects. Overall, the proposal is considered to be consistent with RMA Section 7.

Section 8 – Treaty of Waitangi relates to the Treaty and states:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

Comment:

The proposal is not considered inconsistent with RMA Section 8. Refer the assessment in relation to RMA Section 6(e). The iwi management plans ‘Kāi Tahu ki Otago Natural Resource Management Plan’ and ‘Te Tangi a Tauira – The Cry of the People (Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008)’ are further considered below in Sections 5.6 and 5.7, respectively. Overall, the proposal is not considered inconsistent with the provisions relevant to the proposal.

5.1.3 Overall assessment against Part 2

Overall, for the reasons outlined above, the proposal is considered to be consistent with Part 2 of the Act.

5.2 National Policy Statement for Freshwater Management 2020 (NPS-FM)

The National Policy Statement for Freshwater Management 2020 Amended December 2025 (NPS-FM) provides local authorities with direction on how to manage freshwater under the RMA. It applies to all freshwater (including groundwater) and, to the extent they are affected by freshwater, to receiving environments (which may include estuaries and the wider coastal marine area). The objective of the policy statement seeks to ensure that natural and physical resources are managed in a way that first, prioritises the health and well-being of water bodies and freshwater ecosystems; second, the health needs of people (such as drinking water); and third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future. The following policies of the NPS-FM are relevant to this application:

- *Policy 2: ...Māori freshwater values are identified and provided for.*
- *Policy 15: Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.*

Comment:

The proposal is consistent with the objective and policy direction (specifically, Policies 2 and 15) in the NPS-FM. It is considered that the continued use of mooring #53, lawfully under the RMA, will not adversely affect the health and wellbeing of Lake Wakātipu | Whakātipu-Wai-Māori (specifically, the Frankton Arm of the Lake), and that it will provide for the social wellbeing of the Applicant. As identified in Sections 5.6 and 5.7 below, it is considered the legalisation and continued use of the mooring is consistent with the issues and objectives within the area's iwi management plans.

Overall, for the reasons outlined above, the proposal is considered to be consistent with the NPS-FM.

5.3 Queenstown Lakes Operative District Plan (June 2018) (ODP)

Section 4.6 'Surface of Lakes and Rivers' of the ODP contains objectives and policies relevant to this application; notably, the following:

<i>Objectives</i>	<i>Recreational activities undertaken in a manner which avoids, remedies or mitigates, their potential adverse effects on:</i> • <i>natural conservation values and wildlife habitats,</i> • <i>other recreational values,</i> • <i>public health and safety,</i> • <i>takata whenua values, and</i> • <i>general amenity values.</i>
<i>Policy 2</i>	<i>To enable people to have access to a wide range of recreation experiences on the lakes and rivers, based on the identified characteristics and environmental limits of the various parts of each lake and river.</i>

- Policy 3 On each lake and river, to provide for the range of recreational experiences and activities which are most suited to and benefit from the particular natural characteristics.*
- Policy 12 To avoid adverse effects on the public availability and enjoyment of the margins of the lakes and rivers.*
- Policy 13 To ensure that the location, design and use of structures and facilities which pass across or through the surface of any lake and river or are attached to the bank of any lake and river, are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided or mitigated.*

Comment:

The proposal is consistent with the above provisions; as has been assessed in Section 4 above, it avoids or mitigates adverse effects on natural conservation values and wildlife habitats, other recreational values, public health and safety, takata whenua values, and general amenity values, and the continued use of mooring #53, lawfully under the RMA, will have a positive effect on the Applicant through providing for their social wellbeing (Objectives).

Mooring #53 is located within a cluster of moorings that form part of the receiving environment, and Photos 1 and 2 show that moorings have been in the Frankton Arm for at least 40 years, including in the location of mooring #53 (Policies 12 and 13). Mooring #53 is used by the Applicant to moor a recreational vessel for recreational experiences on Lake Wakātipu | Whakātipu-Wai-Māori (Policies 2 and 3). The pink A4 mooring buoy and the yellow pick-up buoy that are visible on the surface of the Lake (refer to Photo 3 and Photos 5-7) are brightly coloured for navigational safety purposes. Mooring #53 is located within 200 m of the shoreline and away from the Kelvin Grove Beach area frequented by the public, thereby avoiding adverse effects on safety and conflicts with recreational and other activities on the Lake. It is noted that within 200 meters of the mooring or shore, a maximum speed of 5 knots applies. As the mooring forms part of the receiving environment, and because moorings are anticipated structures on the Lake, the mooring will not detract from the enjoyment of the public using the margin of the Lake for recreational purposes (Policies 12 and 13).

Overall, for the reasons outlined above, the proposal is considered to be consistent with the Section 4.6 'Surface of Lakes and Rivers' objectives and policies listed above.

5.4 Queenstown Lakes Proposed District Plan (PDP)

Chapters 5 and 39 provide direction for activities within identified Wāhi Tūpuna areas.

The following provisions of Chapter 5 (Tangata Whenua) are considered relevant to this application:

Objective 5.3.5 Wāhi tūpuna and all their components are appropriately managed and

protected.

Policy 5.3.5.5 Avoid where practicable, adverse effects on the relationship between Ngāi Tahu and the wāhi tūpuna.

The following provisions of Chapter 39 (Wāhi Tūpuna) are considered relevant to this application:

Objective 39.2.1 Manawhenua values, within identified wāhi tūpuna areas, are recognised and provided for.

Policy 39.2.1.2 Recognise that the effects of activities may be incompatible with Manawhenua values when that activity is listed as a potential threat within an identified wāhi tūpuna area, as set out in Schedule 39.6.

Policy 39.2.1.3 Within identified wāhi tūpuna areas:
a. avoid significant adverse effects on Manawhenua values and avoid, remedy or mitigate other adverse effects on Manawhenua values from subdivision, use and development listed as a potential threat in Schedule 39.6; and
b. avoid, remedy or mitigate adverse effects on Manawhenua values from subdivision, use and development within those identified wāhi tūpuna areas where potential threats have not been identified in Schedule 39.6.

Policy 39.2.1.4 Encourage consultation with Manawhenua as the most appropriate way for obtaining understanding of the effects of any activity on Manawhenua values in a wāhi tūpuna area.

Comment:

The proposed activity is not specifically listed as a potential threat to Lake Wakātipu | Whakātipu-Wai-Māori (regarding the Lake, PDP Schedule 39.6 'Schedule of Wāhi Tūpuna' lists "b. Buildings and structures..." and "c. Earthworks").

Pre-application consultation with Aukaha and TAMI has been undertaken by the Applicant, however no response has been received as set out in Table 2, with the Applicant now requesting limited notification to iwi.

5.5 Regional Plan: Water for Otago (Regional Plan)

Chapter 8 'The Beds and Margins of Lakes and Rivers' of the Regional Plan contains objectives and policies relevant to this application; notably, the following:

Objective 8.3.1 To maintain:
(a) The stability and function of existing structures located in, on, under or over the bed or margin of any lake or river;
(b) The stability of the bed and bank of any lake or river; and
(c) ...

8.5 Policies applying to structures

Policy 8.5.1 *To require, where necessary, desirable and practicable, any structure in or on the bed of any lake or river to provide for fish migration through or past it, or alternative remedial measures where fish migration is not practicable.*

8.6 Policies applying to bed or margin disturbance

Policy 8.6.2 *To promote best management practices for activities that occur within or adjacent to the bed of lakes and rivers in order to avoid, remedy or mitigate any adverse effect.*

Comment:

The proposal is considered to be consistent with the above provisions. This is because mooring #53 is existing and its components are in good condition, as described above. It is also because rules are written to give effect to policies and objectives, and with the use, repair, maintenance, extension, alteration, replacement or reconstruction of a structure within Lake Wakātipu | Whakātipu-Wai-Māori a Permitted Activity under Regional Plan Rules 13.1.1.1, 13.3.1.1, 13.3.1.2 and 13.5.1.1 subject to the conditions of those rules (refer to Table 4).

5.6 Kāi Tahu ki Otago Natural Resource Management Plan 2005

In the Kāi Tahu ki Otago Natural Resource Management Plan 2005, Whakātipu-Wai-Māori (Lake Wakātipu) is covered by the Clutha/Mata-au Catchment, with Section 10.3 addressing Wāhi Tapu, Section 10.4 addressing Mahika Kai and Biodiversity, and Section 10.5 addressing Cultural Landscapes. Relevant policies from these sections include the following:

Section 10.3.3 Wāhi Tapu Policies in the Clutha/Mata-au Catchment

- 1 *To require that wāhi tapu sites are protected from further loss or destruction.*
- 2 *To require accidental discovery protocols for any earth disturbance activities.*

Section 10.4.3 Mahika Kai and Biodiversity Policies in the Clutha/Mata-au Catchment

5. *To encourage customary use practises.*
- Pest Control and Management:*
6. *To encourage environmental and educational efforts to halt the spread of lagarosiphon and other pest species.*
7. *To require co-ordinated pest management controls*

Section 10.5.3 Cultural Landscapes Policies in the Clutha/Mata-au Catchments

- Policy 7** *To require that all moorings situated in the vicinity of nohoaka and camping sites to be publicly available.*
- Policy 9** *To require jetties and moorings to be located where they will not impede or restrict access to lakes, rivers and wetlands.*

Comment:

The proposal is considered to be consistent with Section 10.3.3 Policies 1 and 2 and not inconsistent with Section 10.4.3 Policy 5, as structures within an identified wāhi tūpuna area are a Permitted

Activity under PDP Rule 39.4.2; mooring #53 is an existing mooring and the purpose of the mooring will remain the same. In addition, as the mooring is existing, no earthworks are required. Regarding Section 10.4.3 Policies 6 and 7, the Applicant volunteers a condition of consent to ensure that all reasonable precautions are taken to minimise the spread of pest plants and aquatic weed. Regarding Section 10.5.3 Policy 7, Map 13 of the Plan identifies the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori is not within the vicinity of a nohoaka site, and mooring #53 is not located where it will impede or restrict access to Lake Wakātipu | Whakātipu-Wai-Māori (Section 10.5.3 Policy 9). While there has been pre-application consultation with Aukaha and TAMI, the Applicant requests limited notification to iwi (refer to Table 2).

5.7 Te Tangi a Tauira – The Cry of the People (Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008)

Te Tangi a Tauira – The Cry of the People does not contain any direct policy that provides specific direction for structures or moorings in Lake Wakātipu | Whakātipu-Wai-Māori. The only references to moorings appear in 3.6.3 ‘Structures in the Coastal Marine Area’ and 3.6.6 ‘Fiordland Commercial Surface Water Activities’, with no equivalent policy relating to structures in lakes.

6 ASSESSMENT OF ALTERNATIVES

Where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity is required (Schedule 4 clause 6 (1)(a) of the RMA), and where an activity includes the discharge of any contaminant, a description of any possible alternative methods of discharge including discharge into any other receiving environment is required (Schedule 4 clause 6 (1)(d)(ii) of the RMA). The proposed activity is not expected to result in any significant adverse effect on the environment however, therefore no description of alternative locations is considered. Nor are alternative methods considered.

7 SUMMARY AND CONCLUSIONS

Resource consent is sought to authorise an existing private swing mooring (mooring #53) located on the southern shoreline of the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori. The swing mooring, which is understood to predate the RMA, is associated with the Applicant’s property at 558 Peninsula Road, Kelvin Heights, Queenstown.

Consent is sought as a Restricted Discretionary Activity under PDP Rule 21.15.7 ‘Jetties and Moorings in the Frankton Arm’ and as a Discretionary Activity under Regional Plan Rule 13.2.3.1 for the

placement of a structure (i.e., mooring #53) on and over the bed of the Lake. Bundled, the proposal is a Discretionary Activity. The Applicant will hereafter be able to rely on Permitted Activity rules, with activity on the surface of the Lake associated with minor repair, maintenance or alteration a Permitted Activity under PDP Rule 21.15.4, and with the use, repair, maintenance, extension, alteration, replacement or reconstruction of a structure a Permitted Activity under Regional Plan Rules 13.1.1.1, 13.3.1.1, 13.3.1.2 and 13.5.1.1 subject to the conditions of those rules.

The application includes an assessment of the likely effects of mooring #53 on the environment and a statutory assessment. Overall, effects are considered to be no more than minor, and the authorisation of mooring #53 is consistent with the relevant objective and policy direction of the applicable planning documents.

Overall, the proposal is consistent with the purpose and principles of the RMA. It is therefore considered appropriate that the proposal be granted for the duration sought (35 years).

APPENDICES

APPENDIX A – LOCATION/SITE PLAN



Figure APPENDIX A-1: Location plan showing the Frankton Arm of Lake Wakatipu | Whakātipu-Wai-Māori, with Kelvin Heights along its southern shoreline (Source: [arcgis.com](https://www.arcgis.com)³⁴).

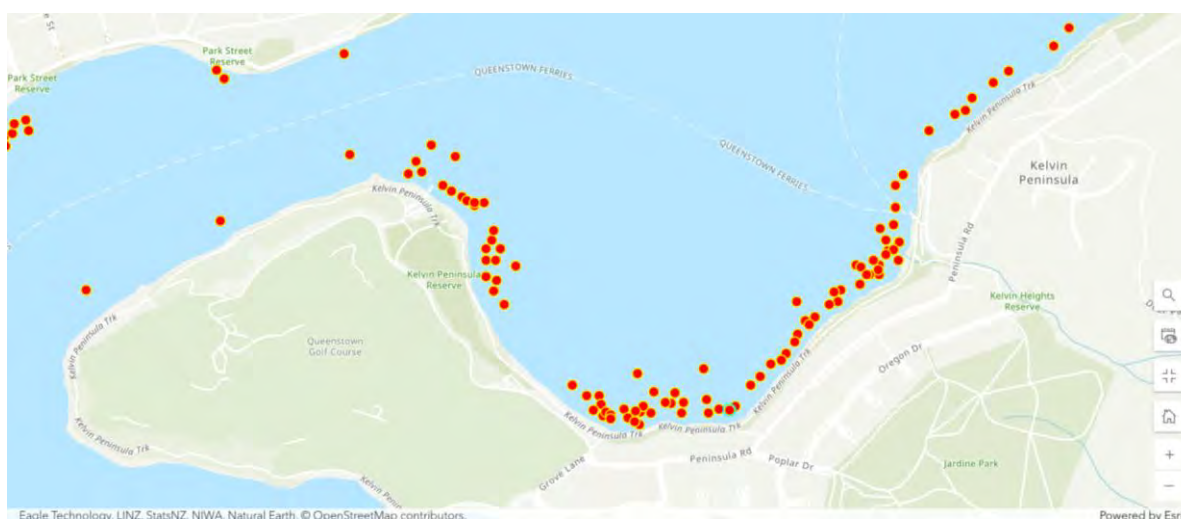


Figure APPENDIX A-2: Topographic (Vector) basemap showing the Frankton Arm of Lake Wakatipu | Whakātipu-Wai-Māori, focusing on Kelvin Heights along its southern shoreline. The Survey Point detail shows moorings (from mooring inspections) as red dots. Mooring #53 is the red dot with blue outline. The Kelvin Peninsula Track is labelled. (Source: [arcgis.com](https://www.arcgis.com)³⁵).

³⁴ <https://www.arcgis.com/apps/mapviewer/index.html>.

³⁵ <https://www.arcgis.com/apps/mapviewer/index.html>. NZ Topographic (Vector) basemap. 'Moorings Inspection - Wakatipu_stakeholder' Feature layer (Item updated 1 May 2020).

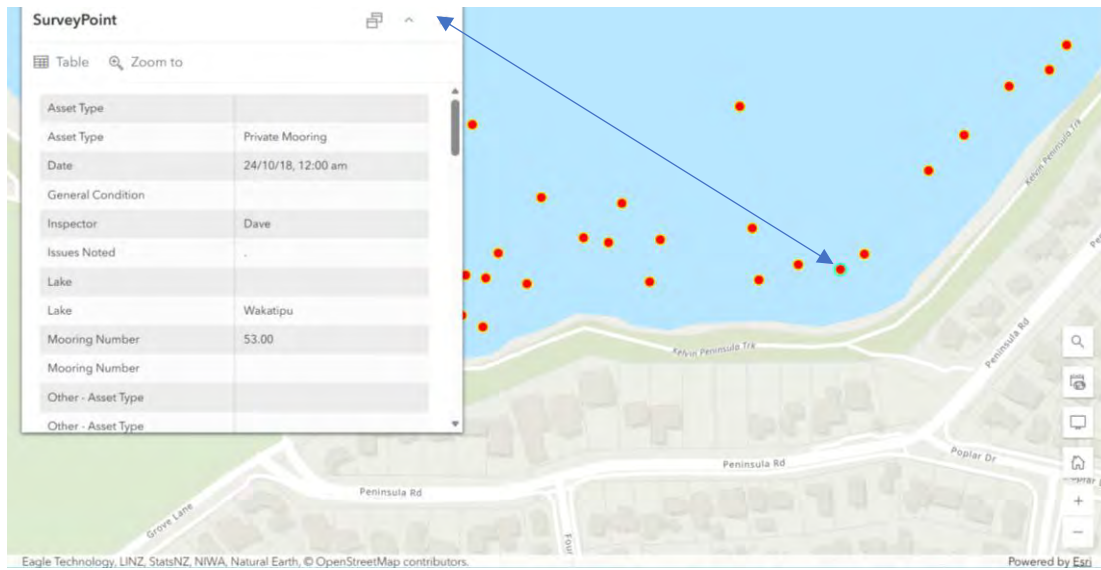


Figure APPENDIX A-3: The location of mooring #53 (red dot with blue outline) on a NZ Topographic (Vector) basemap (Source: arcgis.com³⁶).

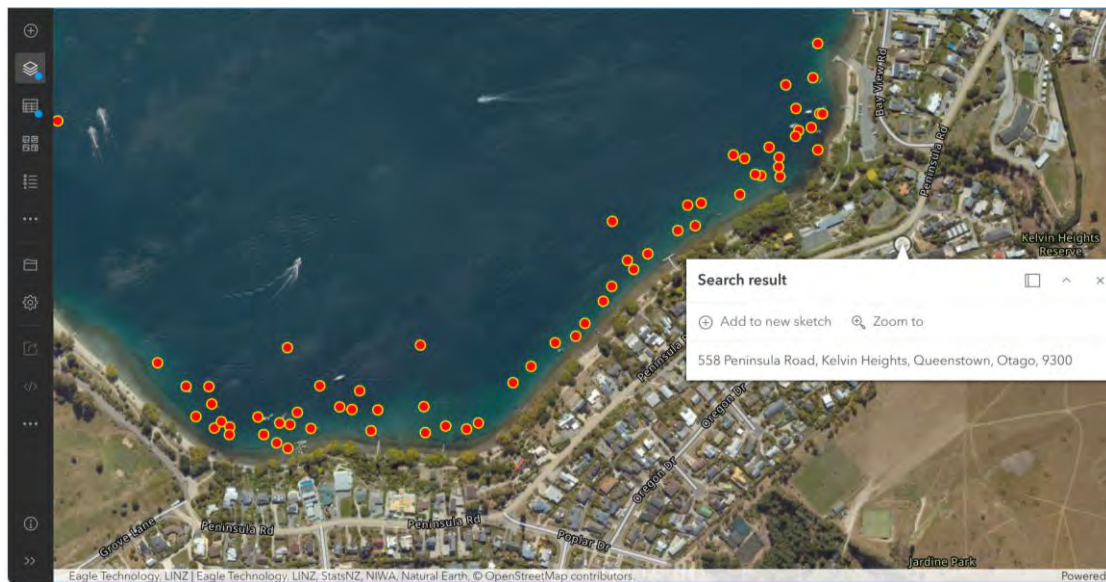


Figure APPENDIX A-4: The location of mooring #53 on a NZ Imagery Hybrid basemap (compare with Figure APPENDIX A-3 above and Figure APPENDIX A-5 overpage). Mooring #53 is located to the southwest of the Applicant's property, being 558 Peninsula Road, Kelvin Heights (Source: arcgis.com).

³⁶ As above.

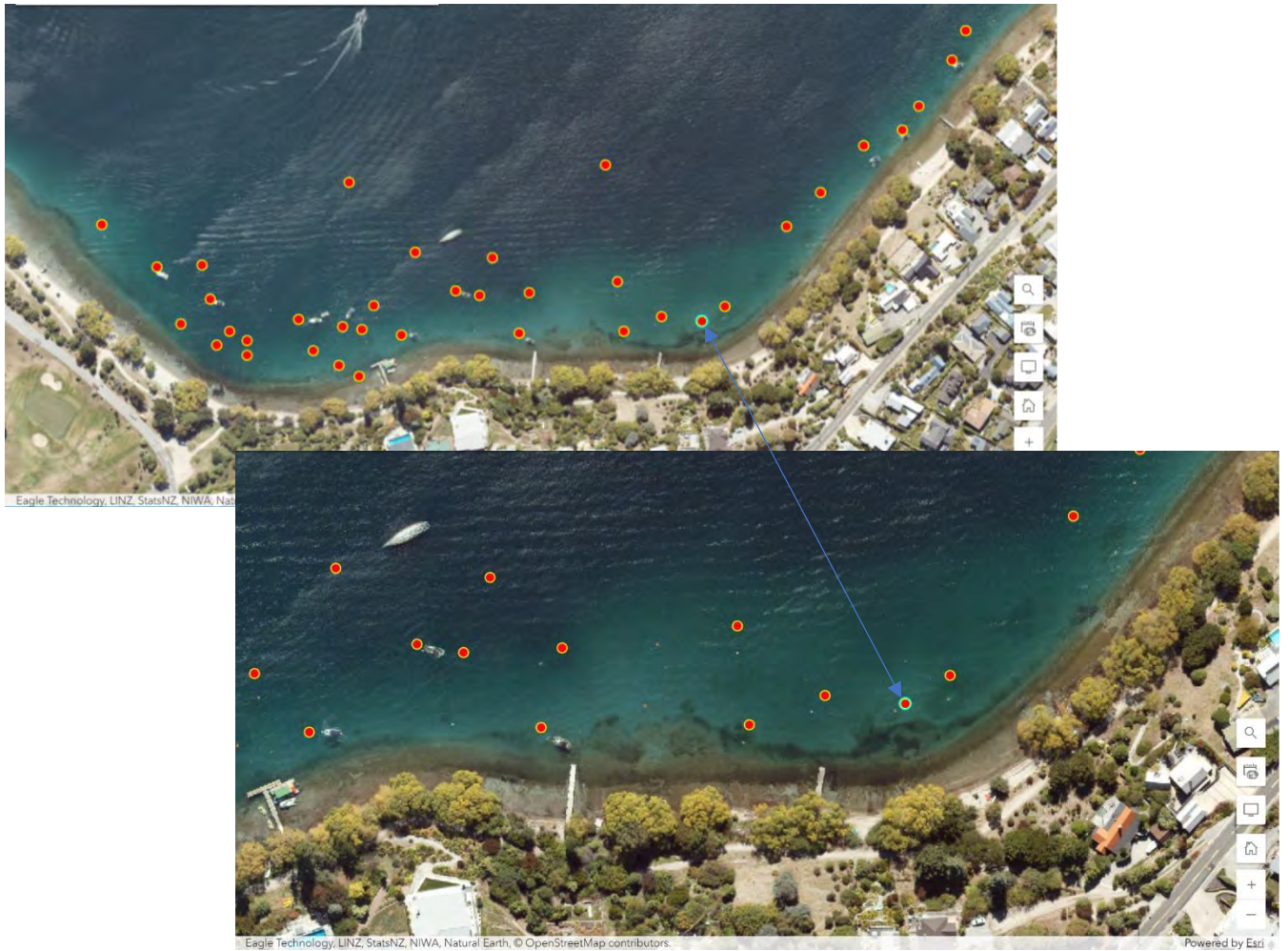


Figure APPENDIX A-5: The location of mooring #53 (red dot with blue outline) on a QLDC Aerial Imagery basemap (Source: Arcgis.com).

**APPENDIX B – RECORD OF TITLE FOR THE APPLICANT’S PROPERTY WITH WHICH MOORING
#53 IS ASSOCIATED**

Record of Title for 558 Peninsula Road, Kelvin Heights



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




 R.W. Muir
 Registrar-General
 of Land

Identifier **325221**
Land Registration District **Otago**
Date Issued 06 December 2006

Prior References
 OT9C/1352

Estate Fee Simple
Area 797 square metres more or less
Legal Description Lot 6 Deposited Plan 11504
Registered Owners
 Blair Robert Davies and Fiona Suzan Davies

Interests

Subject to Council's condition under Section 40 Counties Amendment Act 1961 endorsed on DP 12093

Land Covenant in Deed 318705

Subject to a right of way, right to convey water, drain water, convey sewage, erect power & other poles, lay underground wires and convey all communications & power over part coloured yellow DP 12093 specified in Easement Certificate 370980 - 28.5.1971 at 12:23 pm

Appurtenant hereto are rights of way, rights to convey water, drain water, convey sewage, erect power & other poles, lay underground wires and convey all communications & power specified in Easement Certificate 370980 - 28.5.1971 at 12:23 pm

Appurtenant hereto are rights of way specified in Easement Certificate 486094 - 10.10.1977 at 10:25 am
 8739345.2 Mortgage to Southland Building Society - 15.4.2011 at 3:04 pm

Title Diagram 325221

Cpy - 01/01.Pgs - 001.22/12/06.07:06



DocID 110822235

PENINSULA ROAD

6

797 m²

11.45

5.99

44.20

41.04

21.12

**APPENDIX C – MOORING INSPECTION REPORT BY MR GARRY WRIGHT OF WRIGHT
BUILDING AND DIVING SERVICES LTD**

Swing mooring inspection & Information form

Please complete all details below, if an incomplete form is submitted this may be returned to you if any information shown below is missing or has been incorrectly entered, please take time to make sure all details are accurate and that all areas have been fully completed.

Please Print All Details Clearly

Owner / Contact Person Details – (Mooring Owner To Complete)

Mooring Location (Lake): Wakatipu

Mooring Permit #: **53**

Mooring Owners Name: Blair Davies

Mooring Owners Address: **558 Peninsula Rd.**

Mooring Owners Postal Address (if different): **42 MacMaster St Invercargill**

Mooring Owners Phone No: **0276860724**

Mooring Owners Email Address: **blair.davies@xtra.co.nz**

Emergency contact Number: **0276860724**

Details of Primary Vessel Using Mooring – (Mooring Inspector/owner To Complete)

Name of vessel using mooring: **Priority**

Vessel MNZ Registration Number: Vessel Identification:

Vessel Type: Commercial Powered Craft ☐ Recreational Powered Craft ☒ Yacht ☐ Other ☐

If "Other" please outline type of vessel : _____

Length of Vessel: approx. **6.5m** Weight of Vessel: approx. **2 tone**

Vessel Colour(s): **white + Red**

Does the vessel have a mooring number clearly visible from outside of the vessel? **No**

Details of Mooring – (Mooring Inspector To Complete)

GPS Position of mooring: (WGS84 Decimal Degrees):

LAT: _____

LON: _____

IS THIS A CONFIRMED TRUE BLOCK LOCATION?: _____

Inspection Date: **27/01/2024** Water Depth at location at time of inspection: **3.4m**

Calculated total swing radius of mooring at lowest lake level: **9m**

Lake level at time of inspection **310.077m**

What is the estimated life expectancy of the mooring prior to upgrades/replacements being needed? **Current**

Has been upgraded with this inspection: **No**

Was vessel on mooring at time of inspection: **No**

Swing mooring inspection & Information form

Please complete all details below, if an incomplete form is submitted this may be returned to you if any information shown below is missing or has been incorrectly entered, please take time to make sure all details are accurate and that all areas have been fully completed.

Please Print All Details Clearly

Owner / Contact Person Details – (Mooring Owner To Complete)

Mooring Location (Lake): Wakatipu

Mooring Permit #: **53**

Mooring Owners Name: Blair Davies

Mooring Owners Address:

Mooring Owners Postal Address [\(if different\)](#):

Mooring Owners Phone No:

[Mooring Owners Email Address:](#)

Emergency contact Number:

Details of Primary Vessel Using Mooring – (Mooring Inspector/owner To Complete)

Name of vessel using mooring:

Vessel MNZ Registration Number: Vessel Identification:

Vessel Type: Commercial Powered Craft ☐ Recreational Powered Craft ☐ Yacht ☐ Other ☐

If "Other" please outline type of vessel : _____

Length of Vessel: approx.

Weight of Vessel: approx.

Vessel Colour(s):

Does the vessel have a mooring number clearly visible from outside of the vessel?

Details of Mooring – (Mooring Inspector To Complete)

GPS Position of mooring: (WGS84 Decimal Degrees):

LAT: **45*02' 41.17 S**

LON: **168*41' 07.04 E**

IS THIS A CONFIRMED TRUE BLOCK LOCATION?: **Yes**

Inspection Date: **23/01/2026**

Water Depth at location at time of inspection: **4.4m**

Calculated total swing radius of mooring at lowest lake level: **9m**

Lake level at time of inspection 310.077m

What is the estimated life expectancy of the mooring prior to upgrades/replacements being needed? **Concrete Block is permanent (approx. 50 years ?) Block attachment could last 25 years? Chains and components will have to be inspected every 2 years. See condition of parts at time of this inspection further on in report**

Has been upgraded with this inspection: **No**

Was vessel on mooring at time of inspection: **No**

Checklist – (Mooring Inspector To Complete)

Note: If non-traditional mooring system is in use and this table is not fit for purpose,

	Checked Y/N	COMPONENT	DETAILS		Condition (% & notes)	Exist ing	Replaced
TO P SE CTI ON	✓	Floats	Numbered: Yes	Type: A4 Pink	Good	✓	
			Colour: Yellow	Type: small buoy with handle	Good		
	✓	Shackle(s)	Number: 1st Diameter: 16mm std	Moused: Y	Condition: Good	✓	
	✓	Shackle(s)	Number: N/A Diameter:	Moused:	Condition:		
	✓	Chain	Length: No top chain due to shallow water	Diameter: Min D :	Condition		
MI DD LE /RI SE R/R IDE	✓	Shackle(s)	Number: N/a Diameter:	Moused:	Condition		
	✓	Shackle(s)	Number:N/a Diameter:	Moused:	Condition		
	✓	Riser/Ride/Mid dle chain	Length: 4.5m	D: 13mm Min D: 12mm	Condition: Good	✓	
	✓	Shackle(s)	Number: 2 nd Diameter: 13mm tested	Moused: Y	Condition Good	✓	
	✓	Swivel	Diameter: 16mm Stainless steel		Condition Good	✓	
	✓	Shackle(s)	Number: 3rd Diameter: 16mm tested	Moused: Y	Condition Good	✓	
BO TT OM	✓	Ground chain	Length: 5m	D: 20mm Min D: 20mm	Condition Good	✓	
	✓	Block Shackle	Diameter: 16mm tested	Moused: Y	Condition Good	✓	
	✓	Block Ring	Diameter: 32mm Rebar cast in Concrete		Good	✓	
	✓	Block(s)	Is block visible?: Y	Weight (dry) est : 1050kg	Good	✓	
			Dimensions:1m x 1m x .5m	Type: Concrete			

details and observations can be provided on a separate page.

Inspectors Observations

Has Block Shifted or become buried? **No**

Inspectors Further Comments:

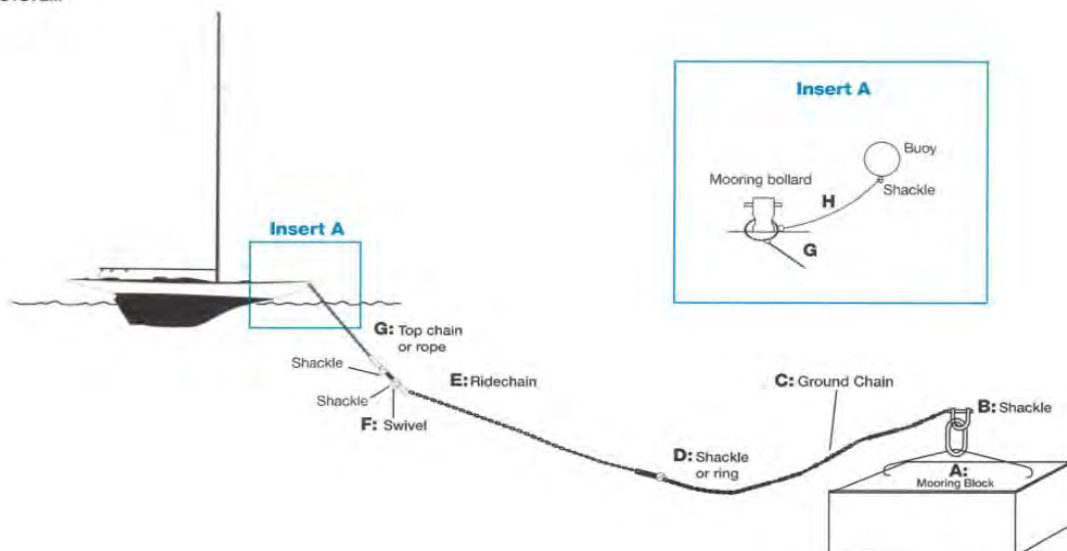
Boat attachment is a 1.5m rope strop 30mm with S/S thimble and 16mm S/S shackle and .5m of 13mm chain.

Mooring Diagram – (Mooring Inspector To Complete)

Insert Diagram of complete mooring showing each section and current average diameters here:

As per table above

FIGURE 1
MOORING SYSTEM



Pictures – (Mooring Inspector To Complete)

Insert Pictures of mooring components here, please include updated photo of vessel intending to be moored on this morning if available:

This picture shows standard mooring components used on most standard moorings but can vary



Mooring 53



Declaration – (Mooring Inspector To Complete)

This is to certify that I have completed a visual inspection ONLY to the above mooring and that I deem it to be fit for purpose, and that the information supplied above is true and correct at the time of inspection.

Anything above the waterline is the owners responsibility to inspect, maintain and repair/replace.

Company Undertaking inspection -

Company undertaking Inspection: ___Wright Building and Diving Services Ltd_____

Company physical address: ___10 Elizabeth Place, Kelvin Heights, Queenstown_____

Company Postal Address: ___a/a_____

Name of person completing inspection: ___Garry Wright_____

Signature of person completing inspection: _____



Date: ___23/01/2026_____.

Harbourmasters Document Review – (To Be Completed By Harbourmaster)

Document Reviewed on: (Inset Date): _____

Document Reviewed by: _____

Harbourmaster Comments:

Harbourmaster Signoff

Name: _____

Signature: _____

Date: _____

Part 2: To be used if this document is supporting a resource consent application.

Resource Consent Application considerations

Will the system be upgraded?

Will upgraded system differ from current system? (if yes, please detail, please include implications to swing radius)

Will block be replaced?

Will existing Block be removed?

Vessel Length:

Vessel length Note: In assessing the location of a swing mooring the Harbourmaster's Office undertakes an assessment that ensures moorings are spaced at a suitable distance apart to minimise any possible conflicts between moored vessels. Vessel length, mooring system design, and depth range information is used to ensure sufficient swing room is available and thus mitigate possible damage to vessels. Resource Consents will specify the vessel length allowable for the individual mooring. Due to the congested nature of some areas within our lakes, gaining or altering resource consent to accommodate larger vessels may not be viable. We all want vessels to be securely moored and remain un-damaged.

APPENDIX D – COPY OF THE APPLICANT’S CURRENT MOORING PERMIT



MOORING PERMIT

Issued under the Navigation Safety Bylaw 2025

Mooring Number: 53

Description of mooring: Swing Mooring

Name to whom permit is granted: Blair & Fiona Davies

Waterway: Lake Wakatipu

Position of mooring: Longitude 168.685444

Status: Unconsented

Latitude -45.044781

Date of issue: 01 July 2025

Expiry of permit: 30 June 2026

Signed for and on behalf of Queenstown Lakes District Council:

Duty of Permittee:

Please be advised that if at any time during the term of this permit, the mooring to which this permit refers to is sold or transferred, please contact Council: property@qldc.govt.nz or Queenstown: 03 441 0499 or Wanaka: 03 443 0024

Conditions of permit

The terms and conditions on which this mooring permit is granted include, but are not limited to the following:

- (1) The mooring must remain in the "position of mooring" described within the permit;
 - a. the design, specifications and maintenance of the mooring must comply with any guidelines issued by the Council;
 - b. the permit holder must mark the location of the mooring with a buoy or float that displays the permit number;
- (2) The permit holder must pay to the Council all permit renewal costs as specified in the Navigation Safety Bylaw 2025.

Maintenance and construction requirements

- (1) The owner of a swing mooring or a pile mooring must maintain his or her mooring in a proper state of condition and repair and must comply with any guidelines adopted by Council.
- (2) A mooring owner may carry out maintenance after removing the mooring from the water, provided the inspection fee has been paid and arrangements are made by the mooring owner for inspection of the mooring by suitably qualified person and the payment of any permit fee prior to the mooring being reinstated.
- (3) The Council or the Harbourmaster may require the mooring owner to remove the mooring in a specified time frame if:
 - a. the permit has been cancelled, or
 - b. where the mooring permit fee is unpaid for a period greater than 2 months from the due date,
 - c. the mooring does not comply with the Resource Management Act 1991.
- (4) All costs associated with the inspection, maintenance and replacement of moorings or mooring components must be borne by the mooring permit holder.

Liability of the Council

- (1) Permit holders shall take all care to ensure that the mooring is used in a lawful manner and use moorings at their own risk.
 - a. The Harbourmaster and Council are not liable for: Any damage to a craft whether the damage is caused by a third party, a natural disaster event, natural processes or by any other cause;
 - b. Any damage to a craft which has not been securely moored;
 - c. Any damage to a craft which results from any actions taken by the Harbourmaster to secure a craft, in the event of a storm or other adverse event;
 - d. Any actions or omissions of the Harbour master or any other officer of the Council in the performance of any duties, functions or powers in respect of this bylaw.

Transfer of permit

- (1) The permit may be transferred where application is made and is accompanied by the payment of the application and processing fees along with a completed transfer request form by post to Queenstown Lakes District Council, Private Bag 50072, Queenstown 9348 or by email to property@qldc.govt.nz

Surrender of permit

- (1) If no longer required, the permit may be surrendered by returning it to the Council together with confirmation that the mooring has been removed.

Swing mooring inspection & Information form

Please complete all details below, if an incomplete form is submitted this may be returned to you if any information shown below is missing or has been incorrectly entered, please take time to make sure all details are accurate and that all areas have been fully completed.

Please Print All Details Clearly

Owner / Contact Person Details – (Mooring Owner To Complete)

Mooring Location (Lake): Wakatipu

Mooring Permit #: **53**

Mooring Owners Name: Blair Davies

Mooring Owners Address: **558 Peninsula Rd.**

Mooring Owners Postal Address (if different): **42 MacMaster St Invercargill**

Mooring Owners Phone No: **0276860724**

Mooring Owners Email Address: **blair.davies@xtra.co.nz**

Emergency contact Number: **0276860724**

Details of Primary Vessel Using Mooring – (Mooring Inspector/owner To Complete)

Name of vessel using mooring: **Priority**

Vessel MNZ Registration Number: Vessel Identification:

Vessel Type: Commercial Powered Craft ☐ Recreational Powered Craft ☒ Yacht ☐ Other ☐

If "Other" please outline type of vessel : _____

Length of Vessel: approx. **6.5m** Weight of Vessel: approx. **2 tone**

Vessel Colour(s): **white + Red**

Does the vessel have a mooring number clearly visible from outside of the vessel? **No**

Details of Mooring – (Mooring Inspector To Complete)

GPS Position of mooring: (WGS84 Decimal Degrees):

LAT: _____

LON: _____

IS THIS A CONFIRMED TRUE BLOCK LOCATION?: **Yes**

Inspection Date: **27/01/2024** Water Depth at location at time of inspection: **3.4m**

Calculated total swing radius of mooring at lowest lake level: **9m**

Lake level at time of inspection **310.077m**

What is the estimated life expectancy of the mooring prior to upgrades/replacements being needed? **Current**

Has been upgraded with this inspection: **No**

Was vessel on mooring at time of inspection: **Yes**



MOORING PERMIT

Issued under the Navigation Safety Bylaw 2025

Mooring Number: 53

Description of mooring: Swing Mooring

Name to whom permit is granted: Blair & Fiona Davies

Waterway: Lake Wakatipu

Position of mooring: Longitude 168.685444

Status: Unconsented

Latitude -45.044781

Date of issue: 01 July 2025

Expiry of permit: 30 June 2026

Signed for and on behalf of Queenstown Lakes District Council:

Duty of Permittee:

Please be advised that if at any time during the term of this permit, the mooring to which this permit refers to is sold or transferred, please contact Council: property@qldc.govt.nz or Queenstown: 03 441 0499 or Wanaka: 03 443 0024

Conditions of permit

The terms and conditions on which this mooring permit is granted include, but are not limited to the following:

- (1) The mooring must remain in the "position of mooring" described within the permit;
 - a. the design, specifications and maintenance of the mooring must comply with any guidelines issued by the Council;
 - b. the permit holder must mark the location of the mooring with a buoy or float that displays the permit number;
- (2) The permit holder must pay to the Council all permit renewal costs as specified in the Navigation Safety Bylaw 2025.

Maintenance and construction requirements

- (1) The owner of a swing mooring or a pile mooring must maintain his or her mooring in a proper state of condition and repair and must comply with any guidelines adopted by Council.
- (2) A mooring owner may carry out maintenance after removing the mooring from the water, provided the inspection fee has been paid and arrangements are made by the mooring owner for inspection of the mooring by suitably qualified person and the payment of any permit fee prior to the mooring being reinstated.
- (3) The Council or the Harbourmaster may require the mooring owner to remove the mooring in a specified time frame if:
 - a. the permit has been cancelled, or
 - b. where the mooring permit fee is unpaid for a period greater than 2 months from the due date,
 - c. the mooring does not comply with the Resource Management Act 1991.
- (4) All costs associated with the inspection, maintenance and replacement of moorings or mooring components must be borne by the mooring permit holder.

Liability of the Council

- (1) Permit holders shall take all care to ensure that the mooring is used in a lawful manner and use moorings at their own risk.
 - a. The Harbourmaster and Council are not liable for: Any damage to a craft whether the damage is caused by a third party, a natural disaster event, natural processes or by any other cause;
 - b. Any damage to a craft which has not been securely moored;
 - c. Any damage to a craft which results from any actions taken by the Harbourmaster to secure a craft, in the event of a storm or other adverse event;
 - d. Any actions or omissions of the Harbour master or any other officer of the Council in the performance of any duties, functions or powers in respect of this bylaw.

Transfer of permit

- (1) The permit may be transferred where application is made and is accompanied by the payment of the application and processing fees along with a completed transfer request form by post to Queenstown Lakes District Council, Private Bag 50072, Queenstown 9348 or by email to property@qldc.govt.nz

Surrender of permit

- (1) If no longer required, the permit may be surrendered by returning it to the Council together with confirmation that the mooring has been removed.

Swing mooring inspection & Information form

Please complete all details below, if an incomplete form is submitted this may be returned to you if any information shown below is missing or has been incorrectly entered, please take time to make sure all details are accurate and that all areas have been fully completed.

Please Print All Details Clearly

Owner / Contact Person Details – (Mooring Owner To Complete)

Mooring Location (Lake): Wakatipu

Mooring Permit #: **53**

Mooring Owners Name: Blair Davies

Mooring Owners Address:

Mooring Owners Postal Address [\(if different\)](#):

Mooring Owners Phone No:

[Mooring Owners Email Address:](#)

Emergency contact Number:

Details of Primary Vessel Using Mooring – (Mooring Inspector/owner To Complete)

Name of vessel using mooring:

Vessel MNZ Registration Number: Vessel Identification:

Vessel Type: Commercial Powered Craft ☐ Recreational Powered Craft ☐ Yacht ☐ Other ☐

If "Other" please outline type of vessel : _____

Length of Vessel: approx.

Weight of Vessel: approx.

Vessel Colour(s):

Does the vessel have a mooring number clearly visible from outside of the vessel?

Details of Mooring – (Mooring Inspector To Complete)

GPS Position of mooring: (WGS84 Decimal Degrees):

LAT: **45*02' 41.17 S**

LON: **168*41' 07.04 E**

IS THIS A CONFIRMED TRUE BLOCK LOCATION?: **Yes**

Inspection Date: **23/01/2026**

Water Depth at location at time of inspection: **4.4m**

Calculated total swing radius of mooring at lowest lake level: **9m**

Lake level at time of inspection 310.077m

What is the estimated life expectancy of the mooring prior to upgrades/replacements being needed? **Concrete Block is permanent (approx. 50 years ?) Block attachment could last 25 years? Chains and components will have to be inspected every 2 years. See condition of parts at time of this inspection further on in report**

Has been upgraded with this inspection: **No**

Was vessel on mooring at time of inspection: **No**

Checklist – (Mooring Inspector To Complete)

Note: If non-traditional mooring system is in use and this table is not fit for purpose,

	Checked Y/N	COMPONENT	DETAILS		Condition (% & notes)	Exist ing	Replaced
TO P SE CTI ON	✓	Floats	Numbered: Yes	Type: A4 Pink	Good	✓	
			Colour: Yellow	Type: small buoy with handle	Good		
	✓	Shackle(s)	Number: 1st Diameter: 16mm std	Moused: Y	Condition: Good	✓	
	✓	Shackle(s)	Number: N/A Diameter:	Moused:	Condition:		
	✓	Chain	Length: No top chain due to shallow water	Diameter: Min D :	Condition		
MI DD LE /RI SE R/R IDE	✓	Shackle(s)	Number: N/a Diameter:	Moused:	Condition		
	✓	Shackle(s)	Number:N/a Diameter:	Moused:	Condition		
	✓	Riser/Ride/Mid dle chain	Length: 4.5m	D: 13mm Min D: 12mm	Condition: Good	✓	
	✓	Shackle(s)	Number: 2 nd Diameter: 13mm tested	Moused: Y	Condition Good	✓	
	✓	Swivel	Diameter: 16mm Stainless steel		Condition Good	✓	
	✓	Shackle(s)	Number: 3rd Diameter: 16mm tested	Moused: Y	Condition Good	✓	
BO TT OM	✓	Ground chain	Length: 5m	D: 20mm Min D: 20mm	Condition Good	✓	
	✓	Block Shackle	Diameter: 16mm tested	Moused: Y	Condition Good	✓	
	✓	Block Ring	Diameter: 32mm Rebar cast in Concrete		Good	✓	
	✓	Block(s)	Is block visible?: Y	Weight (dry) est : 1050kg	Good	✓	
			Dimensions:1m x 1m x .5m	Type: Concrete			

details and observations can be provided on a separate page.

Inspectors Observations

Has Block Shifted or become buried? **No**

Inspectors Further Comments:

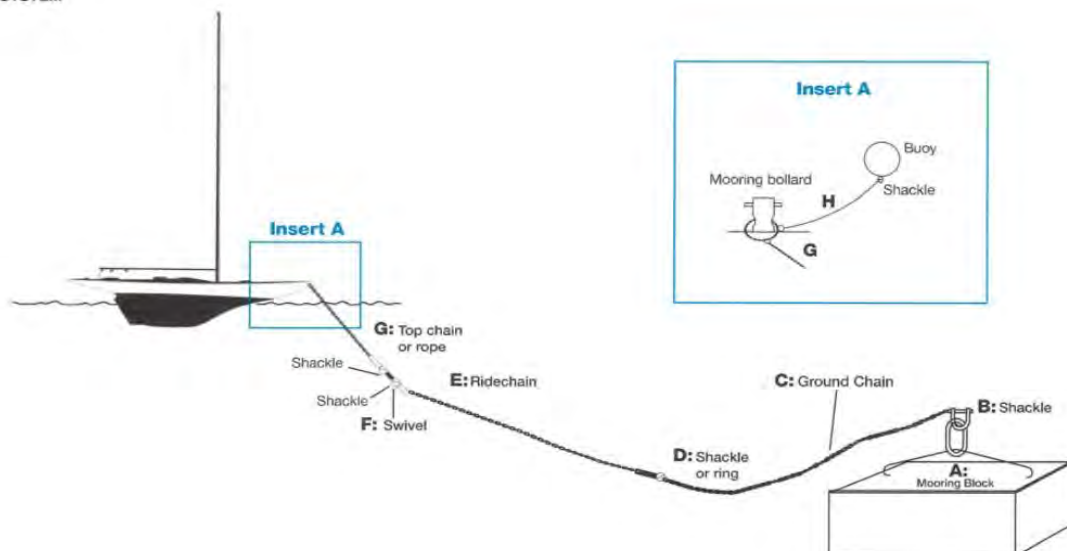
Boat attachment is a 1.5m rope strop 30mm with S/S thimble and 16mm S/S shackle and .5m of 13mm chain.

Mooring Diagram – (Mooring Inspector To Complete)

Insert Diagram of complete mooring showing each section and current average diameters here:

As per table above

FIGURE 1
MOORING SYSTEM



Pictures – (Mooring Inspector To Complete)

Insert Pictures of mooring components here, please include updated photo of vessel intending to be moored on this morning if available:

This picture shows standard mooring components used on most standard moorings but can vary



Mooring 53



Declaration – (Mooring Inspector To Complete)

This is to certify that I have completed a visual inspection ONLY to the above mooring and that I deem it to be fit for purpose, and that the information supplied above is true and correct at the time of inspection.

Anything above the waterline is the owners responsibility to inspect, maintain and repair/replace.

Company Undertaking inspection -

Company undertaking Inspection: ___Wright Building and Diving Services Ltd_____

Company physical address: ___10 Elizabeth Place, Kelvin Heights, Queenstown_____

Company Postal Address: ___a/a_____

Name of person completing inspection: ___Garry Wright_____

Signature of person completing inspection: _____



Date: ___23/01/2026_____.

Harbourmasters Document Review – (To Be Completed By Harbourmaster)

Document Reviewed on: (Inset Date): _____

Document Reviewed by: _____

Harbourmaster Comments:

Harbourmaster Signoff

Name: _____

Signature: _____

Date: _____

Part 2: To be used if this document is supporting a resource consent application.

Resource Consent Application considerations

Will the system be upgraded?

Will upgraded system differ from current system? (if yes, please detail, please include implications to swing radius)

Will block be replaced?

Will existing Block be removed?

Vessel Length:

Vessel length Note: In assessing the location of a swing mooring the Harbourmaster's Office undertakes an assessment that ensures moorings are spaced at a suitable distance apart to minimise any possible conflicts between moored vessels. Vessel length, mooring system design, and depth range information is used to ensure sufficient swing room is available and thus mitigate possible damage to vessels. Resource Consents will specify the vessel length allowable for the individual mooring. Due to the congested nature of some areas within our lakes, gaining or altering resource consent to accommodate larger vessels may not be viable. We all want vessels to be securely moored and remain un-damaged.

Supporting information



Web: www.slwp.co.nz

Email: info@slwp.co.nz

Postal: Level 1, 115 Spey Street, Invercargill

Supporting information for written approval consideration

1. Introduction

1.1 Overview

Blair Davies (the Applicant) is seeking land use resource consent to legalise an existing private swing mooring (mooring #53) located on the southern shoreline of the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori. The swing mooring, which is understood to predate the Resource Management Act 1991 (RMA), includes buoys (top section), shackles and chain, and a concrete block (bottom section), and is associated with 558 Peninsula Road, Kelvin Heights, Queenstown (the Applicant's property). The bed of the Lake is Crown land managed by Land Information New Zealand (LINZ).

Restricted Discretionary Activity resource consent is sought for mooring #53 under Proposed Queenstown Lakes District Plan (PDP) Rule 21.15.7 'Jetties and Moorings in the Frankton Arm'. As the Otago Regional Council (ORC) has delegated its responsibilities under Section 13(1)(a) of the Resource Management Act 1991 (RMA) to the Queenstown Lakes District Council (QLDC), a Discretionary Activity resource consent is also sought under Regional Plan: Water for Otago (Regional Plan) Rule 13.2.3.1 for the placement of a structure (i.e., mooring #53) on and over the bed of Lake Wakātipu | Whakātipu-Wai-Māori. The Applicant seeks land use resource consent for a duration of 35 years.

1.2 Context

The mooring is understood to predate the RMA. The photograph on the following page is an historical image showing moorings in the area that pre-date the RMA, and shows that where moorings still exist today, they have been part of this shoreline since at least 1984.

2. Activity Location (The Site and Receiving Environment)

Mooring #53 is a private swing mooring located in the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori at 45° 02' 41.17 S, 168° 41' 07.04 E (WGS84 Decimal Degrees). This GPS position is a confirmed true block location, verified by Mr Garry Wright of Wright Building and Diving Services Ltd in his Mooring Inspection Report¹. The zoning under the Operative Queenstown Lakes District Plan is Rural General Zone and under the PDP it is Water - Rural Zone.

The mooring sits adjacent to land designated under Designation 184 for the purpose of 'Recreation Reserve and Esplanade Reserve', which is largely used as a walking track along Kelvin Heights, and lies to the north of 669 Peninsula Road, Kelvin Heights. Figures 1 and 2 on the following page show the location of mooring #53 within the Frankton Arm and that this stretch of shoreline features several moorings.

¹ QLDC's 'Swing mooring inspection & Information form' completed by Mr Garry Wright, dated 23 January 2026.



Photo 1: Historic imagery showing the activity location, image taken 31/12/1984 (Source: Retrolens Historical Image Resource, Released Filename: CROWN_8436_H_1).

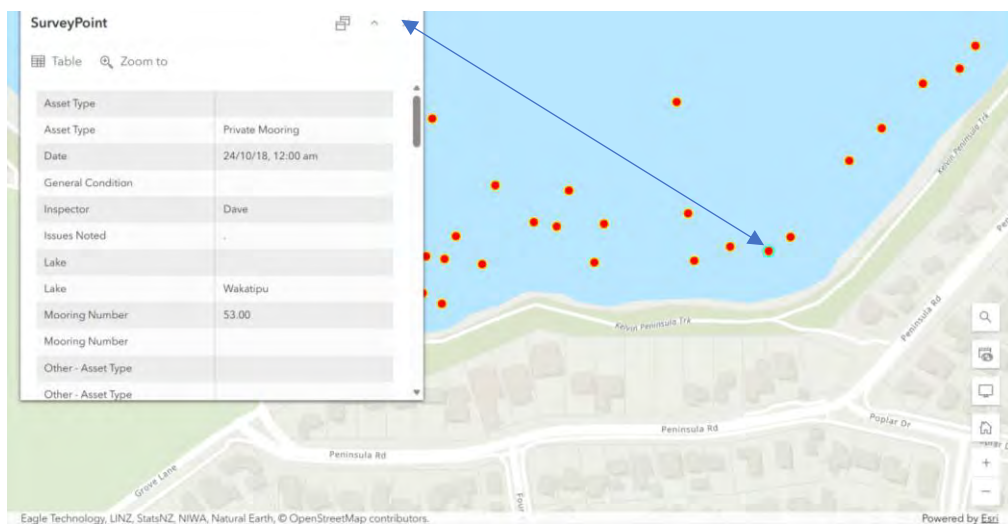


Figure 1: The location of mooring #53 (red dot with blue outline) on a NZ Topographic (Vector) basemap (Source: arcgis.com).



Figure 2: The location of mooring #53 (red dot with blue outline) on a QLDC Aerial Imagery basemap (Source: Arcgis.com).

The receiving environment is primarily comprised of Lake Wakātipu | Whakātipu-Wai-Māori. Whakātipu Wai Maori (Lake Wakātipu) is a Statutory Acknowledgment Area under Schedule 75 of the Ngāi Tahu Claims Settlement Act 1998. The Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Whakātipu-Wai-Māori.

The PDP (Schedule of Wāhi Tūpuna) identifies Lake Wakātipu | Whakātipu-Wai-Māori as a wāhi tupuna (reference 33) and identifies “Whakapapa, rakatirataka, kaitiakitaka, mana, mauri. [and] Wāhi taoka, mahika kai, ara tawhito” as Manawhenua values that contribute to the Lake being significant.

The Regional Plan (Schedule 1D) also identifies that Kai Tahu ascribe the following spiritual and cultural beliefs, values and uses to Whakātipu-Wai-Māori:

- Kaitiakitanga – the exercise of guardianship by Kai Tahu in accordance with tikanga Maori; and includes the ethic of stewardship;
- Mauri – life force;
- Waahi tapu and/or Waiwhakaheke – sacred places;
- Waahi taoka – treasured resource;
- Mahika kai – places where food is procured or produced;
- Kohanga – important nursery/spawning areas for native fisheries and/or breeding grounds for birds;
- Trails – sites and water bodies which formed part of traditional routes, including tauraka waka (landing place for canoes); and
- Cultural materials – water bodies that are sources of traditional weaving materials (such as raupo and paru) and rongoa (medicines).

The Regional Plan's Schedule 1A is a schedule of natural values, and identifies Lake Whakātipu as having ecosystem values (reads “Psize, Pplant, Weedfree, Hjuve(t&s), Hriparian, Eel, Trout, Salmon, Sigveg, Rarefish, Invrare”); outstanding values as a fishery, for its scenic characteristics, for scientific value (in particular water clarity, and bryophyte community), for recreational purposes (in particular boating), for historical purposes, and for significance in accordance with tikanga Māori (in particular sites at the head of the lake, and the legend of the lake itself); and scenic values within the wider landscape context of the surrounding mountains. Schedule 1A also identifies the lake as significant habitat for koaro and having significant vegetation (reads “Rare association of aquatic plants”).

Lake Wakātipu | Whakātipu-Wai-Māori supports a range of commercial and recreational surface water activities, including berths and moorings for vessels², and is widely used during the summer months for activities such as boating, paddle boarding, and kayaking.

The receiving environment also includes the shoreline surrounding the Frankton Arm, which is highly modified. This area contains recreational areas such as Kelvin Peninsula Reserve and the Kelvin Heights Golf Course located to the west on the Kelvin Peninsula; the Kelvin Peninsula Track, which is primarily a walking track but also shared with bikers and golfers; adjoining land zoned Informal Recreation; residential development; and roads. The Kelvin Peninsula Slipway and associated facilities, and its use by the TSS Earnslaw, are important features of the Informal Recreation Reserve at the Kelvin Peninsula.

3. Description of Proposed Activity

Resource consent is sought to legalise an existing private swing mooring (mooring #53) located on the southern shoreline of the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori. The mooring is associated with the Applicant's property at 558 Peninsula Road, Kelvin Heights.

² For example, see ‘\$20m marina finally opens | Otago Daily Times Online News’ – published 25 November 2022, the article discusses the second stage of the Queenstown Marina development on Frankton Arm.

The swing mooring includes buoys (top section), shackles and chain, and a concrete block (bottom section). As detailed in the Mooring Inspection Report by Mr Garry Wright, the concrete mooring block measures 1 metre (m) x 1 m x 0.5 m and has an estimated dry weight of 1,050 kilograms. Photo 2 below shows the 'A4 Pink' mooring buoy that is numbered '53' and the Applicant's pick-up buoy. Photo 3 is a more recent photograph and shows the location of mooring #53 within the Frankton Arm of the Lake.



Photo 2: Photograph from the Mooring Inspection Report showing the components of mooring #53 visible at and from the surface of the Lake, from alongside the mooring.



Photo 3: Photograph taken by the Applicant showing the location of mooring #53 within the Frankton Arm of Lake Wakātipu | Whakātipu-Wai-Māori. View from the Kelvin Peninsula Track (April 2026).

The components of mooring #53 have been identified by Mr Garry Wright, who is suitably qualified and experienced to undertake this work, as being in good condition, and the calculated total swing radius of mooring #53 at the lowest Lake level is 9 m.

The purpose of mooring #53 is for securing a recreational vessel, and in accordance with Section 123(c) of the RMA a land use consent for the mooring is sought for a duration of 35 years.

The applicant volunteers conditions to ensure that all reasonable precautions are taken to minimise the spread of pest plants and aquatic weed and that no waste product enters the Lake when the mooring is in use.

4. Resource Management Act 1991

Resource (land use) consent will be sought under the following provisions:

- **Proposed Queenstown Lakes District Plan (PDP) (Revision 15 April 2026):**
 - Under the PDP, Restricted Discretionary Activity resource consent under Rule 21.15.7 'Jetties and Moorings in the Frankton Arm', for the mooring, as an activity on the surface of the Lake³.
- **Regional Plan: Water for Otago (Regional Plan):**
 - Under the Regional Plan, Discretionary Activity resource consent under Rule 13.2.3.1 for the placement of a structure (i.e., mooring #53) on and over the bed of Lake Wakātipu | Whakātipu-Wai-Māori.

³ There are no longer any relevant rules under the ODP, given the relevant rules under the PDP are treated as operative pursuant to RMA section 86F 'When rules in proposed plans must be treated as operative'.

The Applicant will hereafter be able to rely on PDP Rule 21.15.4⁴, under which minor repairs, maintenance or alteration of the mooring, as an activity on the surface of the Lake, is a Permitted Activity, and on Regional Plan Rules 13.1.1.1⁵, 13.3.1.1⁶, 13.3.1.2⁷ and 13.5.1.1⁸, under which the use, repair, maintenance, extension, alteration, replacement or reconstruction of the structure as a Permitted Activity, subject to the conditions of those rules (including that the structure is maintained in good repair⁹, there is no permanent change to the scale, nature or functions of the structure¹⁰, the structure is replaced or reconstructed in the same location as the original structure¹¹, and the bed disturbance is limited to the extent necessary to undertake the work¹²).

In summary, the Applicant is seeking resource consent to legalise existing swing mooring #53 at Frankton Arm to moor a single recreational vessel on the surface of Lake Whakātipu | Whakātipu-Wai-Māori. Resource consent is sought under both the PDP and Regional Plan, and for a duration of 35 years.

⁴ 'Minor repairs, maintenance or alterations of existing operational jetties and moorings'.

⁵ 'The use of a structure – Permitted activities: No resource consent required'.

⁶ Begins "The repair or maintenance or any lawful structure..."

⁷ Begins "The extension, alteration, replacement or reconstruction of any lawful structure..."

⁸ Begins "The disturbance of the bed of any lake...and any resulting discharge or deposition of bed material associated with..."

⁹ Rule 13.1.1.1(d).

¹⁰ Rule 13.3.1.1(a) and Rule 13.3.1.2(b).

¹¹ Rule 13.3.1.2(a).

¹² Rule 13.5.1.1(d).

AFFECTED PERSON'S APPROVAL

FORM 8A

Resource Management Act 1991 Section 95

#

RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

Blair Davies



AFFECTED PERSON'S DETAILS

I/We

Are the owners/occupiers of



DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

Legalise an existing private swing mooring (mooring #53) located on the southern shoreline of the Frankton Arm of Lake Wakatipu|Whakatipu-Wai-Maori.

at the following subject site(s):

45° 02' 41.17 S, 168° 41' 07.04 E (WGS84 Decimal Degrees).

[NB. This GPS position is a confirmed true block location, verified by Mr Garry Wright of Wright Building and Diving Services Ltd in his Mooring Inspection Report for mooring #53.]



PLEASE TICK

I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.



PLEASE TICK

I/We understand that if the consent authority determines the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.



WHAT INFORMATION/PLANS HAVE YOU SIGHTED



PLEASE TICK

I/We have sighted and initialled ALL plans dated and approve them.



The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

A	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

B	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

C	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

D	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

Note to person signing written approval

Conditional written approvals cannot be accepted.

There is no obligation to sign this form, and no reasons need to be given.

If this form is not signed, the application may be notified with an opportunity for submissions.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.



20 May 2026

Ricky Campbell, QLDC Harbourmaster
Queenstown Lakes District Council
PO Box 6 Queenstown 9300

By email: services@qldc.govt.nz



Web: www.slwp.co.nz

Email: info@slwp.co.nz

Postal: Level 1, 115 Spey Street,
Invercargill

Dear Ricky Campbell, QLDC Harbourmaster,

RESOURCE CONSENT APPLICATION TO QUEENSTOWN LAKES DISTRICT COUNCIL TO LEGALISE AN EXISTING PRIVATE SWING MOORING (MOORING #53) LOCATED ON THE SOUTHERN SHORELINE OF THE FRANKTON ARM OF LAKE WAKATIPU | WHAKATIPU-WAI-MAORI

I am writing on behalf of Blair Davies who is seeking resource consent from Queenstown Lakes District Council to legalise an existing private swing mooring (mooring #53) located on the southern shoreline of the Frankton Arm of Lake Wakatipu | Whakatipu-Wai-Maori.

Attached to this letter is an Affected Persons Written Approval form for your consideration and signature. Also attached are 'Supporting information for written approval consideration', and the Mooring Inspection Report by Mr Garry Wright of Wright Building and Diving Services Ltd with details subsequently completed by the Applicant.

We would appreciate if you would please complete, sign and date both the Affected Persons Written Approval Form and the supporting information, and post or email these documents back to me. Please contact me with any questions on 021 180 7845 or email burnetta@slwp.co.nz.

Yours sincerely,

Burnetta Van Stipriaan

Southern Land and Water Planning LTD.



AFFECTED PERSON'S APPROVAL

FORM 8A



Resource Management Act 1991 Section 95



RESOURCE CONSENT APPLICANT'S NAME AND/OR RM

Blair Davies



AFFECTED PERSON'S DETAILS

I/We LAND INFORMATION NEW ZEALAND

Are the owners/occupiers of LAKE WAKATIPU REF: 2711316



DETAILS OF PROPOSAL

I/We hereby give written approval for the proposal to:

Legalise an existing private swing mooring (mooring #53) located on the southern shoreline of the Frankton Arm of Lake Wakatipu|Whakatipu-Wai-Maori.

at the following subject site(s):

45° 02' 41.17 S, 168° 41' 07.04 E (WGS84 Decimal Degrees).

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I/We understand that by signing this form Council, when considering this application, will not consider any effects of the proposal upon me/us.



I/We understand that if the consent authority determines the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.



WHAT INFORMATION/PLANS HAVE YOU SIGHTED



I/We have sighted and initialled ALL plans dated and approve them.



APPROVAL OF AFFECTED PERSON(S)

The written consent of all owners / occupiers who are affected. If the site that is affected is jointly owned, the written consent of all co-owners (names detailed on the title for the site) are required.

A	Name (PRINT) <i>MARK HAYDEN ON BEHALF OF THE CCL</i>	
	Contact Phone / Email address <i>crownproperty@lind.govt.nz</i>	
	Signature <i>[Signature]</i>	Date <i>25/05/26</i>

B	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

C	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

D	Name (PRINT)	
	Contact Phone / Email address	
	Signature	Date

Note to person signing written approval

Conditional written approvals cannot be accepted.

There is no obligation to sign this form, and no reasons need to be given.

If this form is not signed, the application may be notified with an opportunity for submissions.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.



Queenstown Lakes District Council
Private Bag 50072, Queenstown 9348
Gorge Road, Queenstown 9300

P: 03 441 0499
E: resourceconsent@qldc.govt.nz
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